United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 24, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this word of prophetic vision from Revelations 21: 1: *And I saw a new heaven and a new earth.*

Eternal God, we penitently confess that we are living in a difficult and desperate time when many areas of the world seem to be swept clean of any of the footprints of Thy divine sovereignty and there seems to be a letdown of lofty ideals and principles.

Despite the darkness and shadows may we believe in Thy omnipotence, with keeping and control over all men and nations and that the final victory for the forces of righteousness and love is sure and inevitable.

Inspire us to enter upon each day with new hopes and expectations, new desire and determinations. Show us how we may help to organize good will among men and may we be filled with a sense of something splendid impending when there shall come into the heart of humanity a moral and spiritual pressure constraining it to live by a greater faith in Thee and by the power of righteousness and love.

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

BRADFORD COUNTY STRAWBERRY DAY

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, today is Bradford County Strawberry Day on Capitol Hill.

Our lovely Strawberry Queen, Miss Jane Adams, of Starke, Fla., is in Washington, D.C., and she has directed that each of my colleagues receive one pint of these succulent berries. Her majesty's order will be obeyed.

Mr. Speaker, I propose a toast to the Bradford County, Fla., strawberry:

Let's drink this cup
To a berry made up
Of delectableness alone—
A berry of its kindred clan
The seeming paragon.
To whom Florida's elements
And better stars have given
A taste so rare that it is true
'Tis less of Earth than Heaven!

CALL OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 46]

Ashley	Hall	Reid, N.Y.
Bonner	Hébert	Resnick
Clark	Howard	Rivers, Alaska
Cooley	Jones, Ala.	Rogers, Tex.
Dent	Jones, Mo.	Roosevelt
Dickinson	Kluczynski	Toll
Diggs	McFall	Weltner
Ellsworth	McMillan	Willis
Everett	Miller	
Frelinghuysen	O'Neal, Ga.	

The SPEAKER. On this rollcall, 403 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON WAYS AND MEANS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means have until midnight next Monday, March 29, 1965, to file a report, including any supplemental or minority views, to accompany H.R. 6675.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2362, ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 285 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 285

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2362) to strengthen and improve educational quality and educational opportunities in the Nation's elementary and secondary schools. After general debate, which shall be confined to the bill and shall continue not to exceed six hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on Education and Labor now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN] and, pending that, I yield myself 9 minutes.

Mr. Speaker, House Resolution 285 provides for consideration of H.R. 2362, a bill to strengthen and improve educational quality and educational opportunities in the Nation's elementary and secondary schools. The resolution provides an open rule with 6 hours of general debate, making it in order to consider the committee substitute as an original bill.

The purpose of H.R. 2362 is to meet a national problem. This national problem is reflected in draft rejection rates because of basic educational deficiencies. It is evidenced by the employment and manpower retraining problems aggravated by the fact that there are over 8 million adults who have completed less than 5 years of school. It is seen in the 20-percent unemployment rate of our 18- to 24-year-olds. It is voiced by our institutions of higher learning and our vocational and technical educators who have the task of building on elementary and secondary education foundations which are of varying quality and adequacy.

The solution to these problems lies in the ability of our local elementary and secondary school systems to provide full opportunity for a high-quality program of instruction in the basic educational skills because of the strong correlation between educational underachievement and poverty. Toward this solution, it is important that our total capabilities in education be brought to bear, including the best available personnel and techniques, and a maximum use of modern instructional technology.

The problems would be solved to some extent by the passage of H.R. 2362.

Title I, education of children of low income families—fiscal year 1966, approximately $1.06 billion—is designed to encourage and support the establishment, expansion, and improvement of special programs, including the construction of school facilities where needed, to meet the special needs of educationally deprived children of low-income families. Public schools would be eligible for payments for programs designed to meet the special educational needs of children in school attendance areas having high concentrations of disadvantaged children. In these areas, the school district would design special educational services and arrangements, including those in which all children in need of such services could participate. These special programs include dual enrollment—shared services—arrangements, educational radio and television, mobile educational services and equipment, remedial education, preschool or afterschool programs, additional instructional personnel, equipment and facilities, and others judged necessary for improving the education of disadvantaged children. Local educational agencies would be eligible for payment equal to one-half the average per pupil expenditure in that State multiplied by first, the number of children—aged 5 to 17—in families having an annual income of less than $2,000; and, second, the number of children in families receiving payments over $2,000 under the programs of aid to families with dependent children. For the second and third year Congress would determine the "low income factor." Federal funds made available under this title would be used essentially for improving the education of educationally deprived students. State and local educational effort must also be maintained.

Title II, school library resources, textbooks, and other instructional materials—fiscal year 1966, $100 million—provides for a 5-year program to make available for the use of schoolchildren school library resources and other printed and published instructional materials including textbooks essential to improved educational quality in the schools of the Nation. A State plan would provide for a method of making available books, periodicals, documents, audiovisual materials, and other printed and published materials for the use of all schoolchildren in the State. Title to all of these materials and control and administration of their use would be vested only in a public agency.

Materials purchased with Federal funds would not be used for sectarian instruction or religious worship and when made available for the use of students in nonpublic schools would be the same as those used or approved for use in the public schools of the State.

Title III, supplementary educational centers and services—fiscal year 1966, $100 million—proposed a 5-year program to provide vitally needed educational services not available in sufficient quantity or quality in elementary and secondary schools and to develop and establish exemplary elementary and secondary school educational programs to serve as models for regular school programs. Special personnel, equipment, and other costly educational services not normally available in most schools would be made available in centers for the widest possible participation of the entire community.

Title IV, educational research and training; Cooperative Research Act—fiscal year 1966, $45 million—authorizes the training of research personnel and improved dissemination of information derived from educational research development. Authority would be granted to utilize the research competence of research organizations not now eligible to contribute to the program, such as private noncollegiate research organizations and professional associations. In addition, the program would provide for the construction and operation of research facilities—such as those now at Pittsburgh, Oregon, Harvard, and Wisconsin, operating under funds from the Cooperative Research Act—to improve the quality of teaching in our schools and for the purchase of research equipment.

Title V, State departments of education—fiscal year 1966, $25 million—proposes a 5-year program to stimulate and assist in strengthening the leadership resources of State educational agencies. The State educational agency would identify educational needs of the State and design programs to meet these needs. Grants would be made to States on the basis of the relative public school population.

Title VI, the final title, has to do with definitions and certain limitations which will be discussed by the committee.

Mr. Speaker, this is a tremendously important piece of legislation. It deals, it seems to me, with the most basic problem with which our country is faced if we are to meet the problems of poverty and underemployment in this country.

Mr. Speaker, I do want to make one comment with reference to a number of questions which have been raised recently by some of my colleagues dealing with the question of an open rule. I want to reiterate that this is an open rule. There are a number of communications having to do with the plea that this bill be passed exactly as now written. I should like to say quite frankly, as I have said to some of my colleagues, that so far as the Committee on Rules is concerned we have done our job. We have brought you an open rule, and it is up to the House to consider the amendments which will be offered. I, for one, expect to support amendments if I feel they will strengthen this piece of legislation because I have confidence in the membership of this House and I also have great confidence in the Committee on Education and Labor, but I feel that nothing is so good that it could not be better.

So I say in conclusion that this is an open rule. As we discuss this bill and as it is read there will be full and open opportunity for such amendments as may be offered and there will be the opportunity to support or oppose them as Members see fit.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, my colleague on the Committee on Rules, the gentleman from California [Mr. SISK], has explained this rule and there is no necessity for me to repeat that explanation. Instead I would like to discuss for a few minutes, the legislation that is now before us.

We held hearings in the Committee on Rules for some 4 or 5 days on this bill, rather extensive hearings. We heard testimony from both proponents and opponents, all members of the great Committee on Education and Labor.

Perhaps in the very beginning I should say that all of us recognize that there are a great many problems confronting the educational institutions of this country. Both the States and the local school districts have problems, some of which are most difficult to solve.

Perhaps the prime question involved in this legislation, certainly one of the most important pieces of legislation to come before this House in many years, is whether, for the first time, the Congress is going to, by enactment of a law, embark upon a program of Federal aid to local and State educational systems in the elementary and secondary fields. Shall we retain, as we have from the very founding of this Republic, the present system of schools, both public and private, under the control of the people in the communities and in the States of the Nation rather than in the Federal Government?

Mr. Speaker, I have read and studied this legislation. This bill is one of the most dangerous measures that has come before us in my time. As one reads the provisions of this bill, as one applies what knowledge one may have gained from experience with other programs of a Federal nature, with other embarkations that we have made upon new activities in the field of Federal-State-local relations, one becomes convinced that sooner or later Federal bureaucracy under this legislation, unless it is greatly amended as the gentleman from California [Mr. SISK] suggested it may be amended, we shall have bureaucratic control from Washington that will take away from present school officials, boards of education, State and local, and educators, State and local, the power and authority, the rights and duties which they now have to direct, regulate, and administer education at the State and local level. This legislation will make one man at the head of the great bureaucracy all powerful, able to have his own way, to say, "You must do it this way or I will move in and do something else."

Mr. Speaker, I know the Members will be told in debate that this is not so, that this is not the intent and the purpose of this legislation.

Mr. Speaker, I am not going to challenge the intent and purpose of the members of the Committee on Education and Labor or the Members of the House who support this legislation. But I do challenge their wisdom in believing that when we give authority, as this legislation gives authority, to any bureaucrat in Washington to fix the criteria that a State or local district must meet, or to make

his own policy, that we have placed the power of control in the hands of Federal bureaucracy. Mr. Speaker, as the years come and go that control grows stronger, more stringent year after year, until State and local controls will disappear entirely and we will have a Federal system of education.

Mr. Speaker, as I read this bill it provides for the expenditure of around $1.33 billion for the first year. A little of this authorization runs over into the next year.

One of the things that the bill provides in title I is a formula, presumably to help poor children in school districts where the income of the families is low—$2,000 a year or less. Yet, rather strangely, believe it or not, rather peculiarly and strangely, under the formula, title I, which provides for the expenditure of $1.06 billion the first year, presumably to help poverty-stricken children in areas where the schools are inadequate and the educational facilities meager, provides that some of the richest counties in the United States would receive more in the form of Federal aid for their schools than would the poorest counties in the United States. The money will not go to assist poverty-stricken children, but instead go in large amounts to some of the school districts in the United States, for instance, a county near Washington—Montgomery County, Md.—where funds are not needed and should not be allocated. This bill permits such expenditures at the expense of poverty-stricken school districts.

I would like to take a moment to discuss some of the powers that the Commissioner of Education has under the bill. In title I, the $1.06 billion title, he has the right to decide whether a State or local educational plan meets his criteria. What criteria? The criteria that he determines. The funds for that State or school district would be frozen until the school district or school officials comply with his order. Judicial review is provided in this particular title, but the law also provides—read it if you do not believe me—that once the Commissioner establishes his criteria, his own criteria at his own discretion, and the plan has failed to conform, the State or local school board must either accede to his criteria or receive no funds whatsoever under this section. That is just one example of the dictatorial powers of the Commissioner of Education.

The same thing applies to a certain extent under title II. The Commissioner is authorized to enter into arrangements directly with schools, private or public, for the distribution of funds for library books and other materials. He decides that himself. The bureaucrats down here in Washington who have no responsibility to anyone except the appointing officer have control. The Commissioner has almost unlimited power in the distribution of these funds. He is authorized to make grants—gifts—to a local agency on terms and conditions that he himself determines. Nobody else sets them up. The Commissioner can deal directly with the local school people and bypass the State Educational Commissioner. The State would have no authority over any installation set up under this title II. While the programs originate at the local level, only those plans which meet the Commissioner's criteria would be approved and, once set up, such educational centers will not be under the control of the State authorities.

There goes State control right out the window, and in comes Federal control. The Commissioner can do anything he pleases with facilities of this type.

Under title IV the same situation exists. The Commissioner can make research grants to nonprofit organizations, or individuals, or anyone he choses. I do not know what a nonprofit individual is, but you may have some in your district. He can give them whatever he decides in his judgment and in his discretion. Those left out are just simply left out. He is the master. It is his mind that controls.

I want to mention one other thing quickly before I run out of time. He is going to have help. Already there are 266—I want you to get this, please—266 advisory commissions in the Department of Health, Education, and Welfare, over 100 of them, if you please, in the Office of Education under the Commissioner. What do these advisory commissions do? Well, they advise somebody, including the Commissioner. What do they get for it? Just $100 a day for each day they are advising, plus their travel time, plus any expenses they may have. And the membership? Anywhere from 16 to 26 on each commission.

What are they going to do? Are they going to disagree with the man that appoints them, or are they going to tell him he is about right on everything he wants to do? We know, all of us know that it is going to make a wonderful propaganda force throughout this country aimed at the schoolteachers of this Nation. The advisory commissions will say this is a wonderful program and the Commissioner is a great fellow, and we ought to let the Federal Government take over control of our schools.

Mr. SISK. Mr. Speaker, I yield 10 minutes to the distinguished chairman of the Committee on Rules, the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, we apparently have come to the end of the road so far as local control over our education in public facilities is concerned. I abhor that. There is nothing dearer to the American home than the neighborhood school, where you have your PTA and your different organizations, and all take a vital interest in the school and have some control of it. I hate to see that tradition destroyed and that control removed from the little neighborhood in the country and located in the bureaucracy of Washington, but I think I see the handwriting on the wall. This is the great day that the bureaucrats in the Education Department have looked forward to and have fought for for a good many years.

There are several features that I would like to discuss and will probably discuss during the debate under the 5-minute rule, because there are several basic defects in this legislation, many of which the gentleman from Ohio has so eloquently referred to. This bill, if we must have this crown of thorns placed upon the heads of the mothers and local people, let us clean it up a little bit, just a little bit.

I will take the remaining few minutes I have to talk about one of those things that really ought to be corrected. You know, this bill got its steam out of the hysteria that is going on now relative to the minority race. They are the ones they say need education in order to put them on a basis of first-class citizenship. They, unfortunately, in great numbers, have been born and raised in poverty, necessary poverty, in the Southern States.

Now we see great armies of well-meaning people who want to help those folks. We see them invading the South, marching as Sherman's army marched to the sea 100 years ago. I wonder what their real purposes are? I wonder why ministers of the gospel should desert their flocks and go tramping through the mud on the second Sherman march through the South.

But the defect in this bill—the one major defect lies in the formula that has been rigged up by which this money is to be distributed to the schools. We were told, and the papers told us, and the President told us that we were going to spread this money around where it would help the lower income people.

Now let me tell you briefly because, unfortunately, I do not have the time to go into it deeply, but there will be an amendment offered on the floor to take care of this. That amendment will be offered by a Member of Congress whom I consider to be one of the most knowledgeable persons and the most enthusiastic person in favor of Federal aid for schools and one who I think has done as much for it as any Member who has ever sat in this House of Representatives. That formula in this bill provides that this money shall be distributed in the States where they have people with incomes less than $2,000. The basis upon which it is distributed—and here comes the little hook in it—shall be upon the amount of dollars that they now spend per child for education. That is, the better off the schools in a State are, the more of this money they will get, and the poorer off they are the less they get.

If a rich State is doing fine and has a fine school system and is spending a lot of money on schools—two or three times as much as the States that have hordes of these people—they get paid according to the amount of dollars per child spent for education.

The results of that little scheme is that the richer people are in the State and the less need they have for this, the more dollars per pupil they are going to get out of this bundle—and it is a fat bundle too for the first year—and it will be fatter for the second year as all of these things are.

If you pass this bill with this formula, those of you who favor the whole kit and caboodle are going to do a tremendous

harm to the cause that you say you are trying to help because you are giving the bulk of the money to States which do not need it.

You can look at publications now in existence that show you just exactly how much each State is going to get and how much they are spending for education. The State that is spending three times as much for education per pupil—States that are spending a dollar, a dollar and twenty-five cents, or a dollar and fifty cents—will be getting three times as much per pupil for educating the rich as you are going to give to educate the poor in some other States which is not what you claim you are going to do when you cooked up this mess of hash.

I hope the Members of this body will get around and inform themselves as to what is in the bill.

I have merely cited one example of great wrong being done. If Members knew this bill they would not vote for that wrong.

I hope that we will get down to pure reason as to what you are about to put on the country, because you are not doing the things it was advertised we were setting out to do. Unless we do, we will not help very much those people about whom the tears are being shed in the mud in the great march through Alabama.

I appeal to you.

I know a great many of you want to do the right thing, but I also know, from long experience, that many of the Members of this House will never read that bill. I know from long experience that many Members of this House will avoid sitting here and listening to the discussion—and there will be ample discussion of this bill, because the Rules Committee gave 6 hours of general debate. I do not see a quorum in this Chamber now, though the discussion has barely started.

Yet, the bells will ring and Members will trek over from their offices. Some of those Members perhaps will not have listened to a word of the debate about this bill, but they will trek over from their offices, come to the doors on either side of the aisle, and ask an attendant on the floor, "How should I vote?"

Mr. ABBITT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a telegram.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ABBITT. Mr. Speaker, I have just received the following telegram from the American Farm Bureau Federation:

Hon. WATKINS M. ABBITT,
U.S. House of Representatives,
Washington, D.C.:

Tremendous progress being made in improving our system of public education through State and local efforts. Passage H.R. 2362 first step toward eventual Federal control public education. Legislation gives unprecedented authority to Administrator without judicial review. Urge you vote against this proposal.

JOHN C. LYNN,
Legislative Director, American Farm Bureau Federation.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I believe the gentleman from Virginia has made an excellent suggestion.

I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. SISK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 47]

Anderson, Tenn.	Fulton, Tenn.	Reid, N.Y.
Ashley	Hall	Resnick
Bonner	Hébert	Rhodes, Ariz.
Dent	Holland	Roosevelt
Dickinson	Jones, Ala.	Toll
Diggs	Jones, Mo.	Weltner
Everett	McFall	Whitten
Evins	McMillan	Wilson, Charles H.
Fraser	Mailliard	
Frelinghuysen	Morrison	
	Pepper	

The SPEAKER. On this rollcall 401 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, there is agreement on both sides of the aisles, and in the country, on the need for our society to spend more money in the field of education. The issue before us today is just how do we most effectively do this? One alternative is going to be presented to the House under this bill, which is the technique of using essentially the Federal income tax as a means of collecting revenues from the people and through the structure of the Federal Government sending it back to the States and communities for expenditure under Federal guidelines.

There is another way of doing this, in my judgment, that is preferable. That is to follow the tax policy which has been established in this country over a period of many years, not to tax the income that is being spent for a social purpose for which otherwise the Government would be asked to spend the money. That is the reason for the personal exemption we have in our Federal income tax for children, $600. That is the reason we have a a 20-percent deduction for donations to churches and other charitable organizations. This is the reason we do not tax income from municipal bonds, bonds that are used to build schools and other community facilities.

The unfortunate thing is that this House itself under the rule that we are now considering will have no opportunity of exercising its judgment over probably the most crucial issue involved in aid to education, that issue being, and I repeat, which of two alternatives should we take. This one alternative of using the Federal income tax to collect the money from the people and then, again through the Federal mechanism, distribute it back to the States and the communities where the money will be spent? Or the other alternative presented in the bill Congressman AYRES, Congressman GOODELL and myself have introduced to have the Federal Government abstain from taking through taxation moneys spent on education by parents and local communities.

The reason this is so is that the tax reduction approach, or using a tax credit cannot be considered by the House under the rule we are debating. This is so for a practical reason as well, that the Committee on Ways and Means has not held hearings on the tax effect of the education incentive bill I have introduced.

This is not new theory, by the way, for two committees of the House to consider the same measure. The highway bill was very properly handled by referring it to the Committee on Public Works for considering the road-building aspect of it and to the Committee on Ways and Means for considering the fiscal aspect of it. So this could be done and should be done in the education bill. Let the tax credit portion be studied by Ways and Means and the Federal expenditure aspects be studied by the Labor and Education Committee.

I point out that the Ribicoff bill, to assist financing higher education with a tax credit to those who spent the money for this purpose was offered as an amendment in the Senate to the tax reduction bill of 1964. The Ribicoff bill, or Ribicoff-Curtis bill—because I introduced legislation along these lines many years ago—is part of the education incentive bill. If we are going to talk in terms of reducing taxes by $2 billion in excises this year, and I have argued that we should reduce excise taxes, and feel very strongly we should, nonetheless I think we should give priority to tax reduction in the amount of $2 to $3 billion for money that is being spent for education by the parents and the people within the communities and the school districts which my bill does. This tax reduction approach avoids the problems we have involved in this question of Federal control. It avoids the problems that exist in this very delicate matter of church-state relations.

I might add it is a much more efficient manner of spending the money because we are certain the money actually goes for education.

It is very interesting to me that the tax that has come under the most criticism since World War II is the Federal income tax. So much has it become a burden upon our economy that this administration, and I applaud it, finally told the Congress we had to lower it because it was impeding economic growth. Now let us not pile more Federal expenditure on this tax that we recognize is already too high. Let us reduce it further and use as our guidelines in reducing personal and local expenditures for education. The taxes that have responded the most efficiently since World War II interestingly enough have been

the property tax and the State transactions taxes. If we would only relieve some of the burden on our States and communities which we impose through the Federal tax mechanism and the superstructure of the Federal bureaucracy, we would be in a position of having the communities and the parents who are Federal taxpayers have these moneys and be able to spend more for education.

Mr. Speaker, I have taken the floor today and I have gone before the Committee on Rules to urge that this matter be held up so that the bill which presents this other alternative, the tax credit approach, be referred to the Committee on Ways and Means for study.

I am satisfied that the best way for us to proceed here would be, and I hope this will come about after a sufficient debate is held, for the House to realize the seriousness of this and to refer this expenditure bill back to the committee and then the matter of tax reduction can be referred to the Committee on Ways and Means. Then we can come in here and have an opportunity to render a congressional judgment of this most major question of which way is the best way to go to improve the educational system in our society. I am satisfied that keeping expenditures in the local communities in the hands that also have the responsibility for raising the revenues is the better.

The SPEAKER. The time of the gentleman has expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska [Mr. MARTIN], a member of the committee.

Mr. MARTIN of Nebraska. Mr. Speaker, this bill, H.R. 2362, the Elementary and Secondary Education Act of 1965, reminds me of the father who called in the young man who was dating his daughter and asked him if his intentions were honorable or if he was operating under false pretenses.

This bill, Mr. Speaker, if it becomes law, will operate under false pretenses because title II of this bill states:

> To provide financial assistance (as set forth in this title) to local educational agencies serving areas with concentrations of children from low-income families. * * *

Now the only relationship to low-income families is in a so-called formula to devise ways and means for distribution of this $1,060 million under title I to the various States. Beyond that there is no relationship to the low-income families.

This is a general aid to education bill and we are embarking upon a new road, on a new path, on a complete change in the policy of our government both at the Federal and State level and at local levels in the field of education. Because here for the first time we are getting into elementary and secondary school problems and the situations that exist there. But beyond that we are getting into the private schools, the church and state issue, in this bill now before this body.

The church and state issue is paramount all the way through the consideration of this bill.

Let me tell you about the scope of this bill, and I quote from section 205:

> (a) A local educational agency may receive a basic grant or a special incentive grant under this title for any fiscal year only upon application therefore approved by the appropriate State educational agency, upon its determination (consistent with such basic criteria as the Commissioner may establish).

Those are only a few words, but when you put the approval of these programs in the hands of the Commissioner here in Washington to set up the criteria, he is going to have complete power of approval over our educational system in this country.

Paragraph (1) that immediately follows this says:

> That payments under this title will be used for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities).

Now let us look at the definition of the word "equipment." On page 141, title VI, you will find the definition and it will show you how extensive and far-reaching this bill is.

> (d) The term "equipment" includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them, and includes all other items necessary for the functioning of a particular facility as a facility for the provision of educational services, including items such as instructional equipment and necessary furniture, printed, published, and audiovisual instructional materials, and books, periodicals, documents, and other related materials.

Mr. Speaker, this is all inclusive. It would allow the money to be spent in almost any field so declared by the Commissioner of Education to fall within his criteria.

There is one other point I wish to make. Is this legislation sound public policy?

This is a $1.3 billion bill. We are now operating on borrowed money. This body had to appropriate last year an additional $400 million to take care of the interest alone on our national debt, above that appropriated the year before; and it is expected we will have to appropriate this year at least $500 million more than the appropriation a year ago just to take care of the interest. The figure last year was $11.4 billion, the second highest of our total expenditures.

This is another $1.3 billion to come from what source? It must come from borrowed money. That is the only place it can come from, since we do not have a balanced budget.

Yesterday, the Ways and Means Committee reported a medical-care bill which, according to the press of this morning, is going to cost $6 billion in the year 1967, when it will first come into operation.

The young people, the people in our elementary and secondary schools today, are the ones who will have to suffer from the fiscal irresponsibility of our Federal Government today, because we are compounding the problems of these young people for future years, when they will take over the operation of this country, by increasing debt and increasing interest charges. We compound the problems they will have to solve.

This bill will not assist in solving the problems in the field of education. I hope that it will be rejected by the House.

Mr. BROWN of Ohio. Mr. Speaker, I yield the remainder of the time on this side to the gentleman from Illinois [Mr. ANDERSON].

Mr. ANDERSON of Illinois. Mr. Speaker, I believe it should be abundantly clear that this House, today and tomorrow, when it deals with the subject matter of this legislation, H.R. 2362, is going to be dealing with one of the hardiest perennials in the whole flower garden of programs involving Federal aid.

I believe history will bear me out that it was 95 years ago, way back in 1870, that the first bill for Federal aid to education was introduced in the Congress of the United States. A bill actually was passed in 1871 in this House. Since that time more than 1,000 bills have been introduced, all of them proposing that the Federal Government should involve itself in this field of education on the primary and secondary levels.

A few years ago, one of the most respected voices in all of American education, that of Dr. James Conant, was heard. He wrote a book called "The Child, the Parent, and the State." In it he made this statement:

> Federal appropriations of $5 billion a year or more would, of course, lead to growing Federal influence upon the schools.

I wonder if there is a single Member of this body today who believes in his heart that when this bill has been passed we will not be embarking upon a program which will very soon involve us in expenditures not only of that order of magnitude but of many billions of dollars in addition thereto.

Of course, the argument is the same today as it has always been, that the alternatives are between inadequate support of our schools, poor education, and having Federal aid. Yet I believe the gentleman from Missouri made it clear in his remarks a few minutes ago that this is not a debate between the friends of education and the foes of education. This is not a debate between those who would be cavalier in their regard of the educational needs of the young people of this country and those who would see an educated generation.

I for one believe as deeply as anyone possibly could in the utmost necessity of seeing additional funds channeled into education. I say this even though I am mindful of the tremendous job that American educators have accomplished during these difficult post-World War II years when they were coping with burgeoning school enrollments. I simply believe, however, that we can accomplish the objective of better education by a combination of grants and tax incentives in the form of tax credits to individual taxpayers rather than embarking upon a massive program of general Federal aid.

This is a very fundamental debate between those who think education is simply not a Federal function and those who

do; between those who think it is something that constitutionally, historically, and traditionally has been reserved to the States and those who think otherwise. Let me quote you one other brief phrase from the Educational Policies Commission of the National Education Association, which is, after all, one of the organizations which is today supporting this bill. They say this in a publication they issued last year:

> Under commonly accepted interpretations of the Constitution, education as such is not a Federal function. Education is among those matters reserved to the States. Therefore, the Federal Government ought not to interfere with the present diffused pattern of control, decisions of curriculum and staffing.

You will hear a lot of comment over the next 2 days, I know, that there is not any control involved in this bill, and that we are going to preserve the same local control over our primary and secondary schools that we have always had.

I listened, along with the gentleman from Ohio and other members of the Committee on Rules, for the better part of 5 days to extensive testimony on this bill. It was brought out even by one of those who will support this bill on the floor of the House that under title II, the title which deals with a $100 million grant for textbooks, that if there is not a State agency in a particular State authorized by law to provide library resources, then, I quote "the Commissioner shall arrange for the provision on an equitable basis of such library resources, textbooks, or other material." In other words, if there is no State agency that will do the job, the Commissioner goes in and does so for the State. I ask you if you can find any clearer example of direct Federal control than you find under title II of this legislation.

We had a bill on the floor of the House yesterday where the committee admitted in its report that it was not a perfect bill; that it was not an ultimate answer, but they said, "we will go ahead and pass it and experiment and so on and maybe find the right track." Some people will tell you that about the allocation formula under title I of this bill. Sure, it is unfair and gives something like $321 per pupil to the State of New York, which has the highest per capita income in the country, whereas it gives $120 per pupil to the State of Mississippi, where the need is greatest. But do not fret about that or do not worry about that, they tell us in reassuring tones. The time will come when we will amend the bill and change the formula. That is their solemn assurance. I think we need only recall what the experience has been under the so-called impact area aid bill which was passed, as I recall it, in September 1950, to realize that once we freeze into statutory law a formula whereby this aid will be dispensed, we do not have any very real or substantial hope of seeing that changed. I would plead with those of you who are still of an open mind in this Chamber today not to accept the allocation formula under title I with any hope or expectation that it will be changed or that it will be made more equitable and do the job. This bill will simply not accomplish the very lofty purposes as set forth in section 201 of H.R. 2362. It is not an aid merely to poverty-impacted and backward areas. How can you say that when the aid is going to 94 percent of the school districts of this country? How can you stand before this Chamber and say it is just to help those few economically deprived areas? It is a vehicle for massive general aid which will fully commit the Federal Government to the financing of primary and secondary schools.

Finally, Mr. Speaker, I allude to one other very important matter mentioned by the gentleman from Nebraska. That is whether or not there has been any real resolution of the fundamental problem of whether under this bill we are possibly going to be violating the establishment of religion clause of the first amendment to the Constitution. Read even the viewpoint of a member of the majority on the Committee on Education and Labor, and you will find that they admit that there is a very real possibility of unconstitutional application of funds under that bill. I was mightily impressed, I will say, with the testimony before our committee yesterday or the day before of the gentlewoman from Oregon [Mrs. GREEN] when she raised a very real possibility that in this bill we are not solving the church-state issue at all but merely transferring that controversy from the Congress to the community and that we may really be laying the groundwork for setting up strife and division within the local community by telling them to solve the problem which we in the Congress did not have the simple courage to solve by including in this bill the kind of judicial review provisions which would make possible an adjudication of this very important and basic issue.

I hope that under the 5-minute rule Members will listen to the amendments that are offered and that we may do something to improve what is now, I think, a bad piece of legislation. I would like to vote for a bill that would, in fact and in truth, accomplish the objectives as set forth in section 201 of the bill that is now before us. But I cannot emphasize too strongly that this bill as presently written is simply not fashioned to do that job. Instead it would dissipate and dilute the funds which it authorizes to the point where those truly in need are going to benefit least.

Mr. SISK. Mr. Speaker, I yield 10 minutes to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain statistics from the Federal Draft Board.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, I wish to commend the House Committee on Education and Labor for bringing this comprehensive education bill to the floor of the House. If similar legislation was enacted 15 or 20 years ago millions of American youth who are now unemployed, living in poverty or following a life of idleness or crime would now be on their way to financial independence and enjoy American abundance and prosperity. We are today listening to the same bugaboo and unfair statements of what is going to occur if the Federal Government participates financially regarding the education of the youth of America.

Similar school legislation was sent up by President Kennedy in 1963. President Johnson, is 100 percent behind the bill H.R. 2362 now under debate.

It is a very simple bill. There is nothing complicated about it. This bill will aid in the fundamental education of millions of American youth in this Nation who are being denied the opportunity of an education.

Do not be misled. There are many special privileged lobbies working against this legislation which have converged upon Washington. And let me address the newer Members on both sides of the aisle. I represent a district that had a population of 340,000 when I came to Congress in 1943 and today we have a population of approximately 600,000. There are thousands and thousands of working men and women who have come from all sections of the country, especially during World War II, to work in the defense plants and the steel mills of my district. I remember, I think it was about 10 years ago, we had on this floor a school construction bill that was defeated by, I think, 4 or 6 votes. Everybody seemed to be in favor of that school construction bill to help communities that were having great difficulty in building schools for children who were wedged in crowded schoolhouses and schoolrooms; this condition existed not only in my district but in many other urban areas in the Nation. Millions over the Nation were very happy that something was going to be done to relieve the critical school situation. After a couple of days of debate, four very distinguished leaders of this House gathered back behind the rail, and in about 5 minutes a motion came down to strike the enacting clause of that bill; and by 4 to 6 votes the school construction bill was defeated.

That motion, succeeded in throwing out the window—defeating—an education bill which would have benefited millions of schoolchildren over the last 10 or 12 years. It took millions of dollars out of the pockets of the working men and women in my district, the same as it did in Chicago, in Pittsburgh, in Philadelphia, and other places.

Why, Mr. Speaker, there were many insurance companies, loan companies, and bank lobbies, pressuring Congress to defeat that bill and to get in on the financial bonanza. The financial wizards, organized a program to loan citys and towns millions at high interest to build schools. Today, there are school buildings in my district thrown together at prices, perhaps, three times what they cost to build. Local taxpayers are paying on a 30- to 35-year bond issue at a high rate of interest—taxpayers in my district—and over the Nation will be taxed for high interest, 35-year school bonds, during the major part of their adult life. The insurance companies and the banks will collect revenue

throughout America at high rates of interest for the next 35 years thanks to almost the same identical pressure groups and propagandists who are opposing this school legislation.

Mr. Speaker, they talk about this bill going to financially burden the Federal Government. Since 1946 State and local bonded indebtedness has risen approximately 450 percent while Federal debt has only risen about 14 percent. During the same time State and local taxes have increased 340 percent while Federal taxes only 140 percent, before the 1964 Federal tax cut. This is higher than it was 20 years ago, primarily on account of these urban, industrial, and metropolitan areas trying to educate the children during this period of population explosion. The Federal Government only has a 14-percent increase as compared with a 450-percent increase for the local communities.

Further, Mr. Speaker, most people in America know what is going on. They are watching this bill. Indiana, my friends, has elected two new Senators since the day when that education school construction bill was tossed out the window. They are for this bill that we have pending on this floor of the House today. They are going to support it. Why? Because under the leadership of Presidents Kennedy and Johnson, millions know the true facts on our school crisis.

Mr. Speaker, there has been a change over America. The people are beginning to find out that this is more or less a defense measure.

Mr. Speaker, several years ago I called up General Hershey of the Federal selective service and requested a tabulated breakdown by States of boys who were rejected in the draft on account of educational deficiencies. The startling figures are these. Some States have a good record. About half of the States have a poor record and about 14 or 15 of the States have from 25 percent to 35 percent, and some as high as 45 percent of the boys that were taken in the draft under the selective service were turned back on account of educational deficiencies.

Mr. Speaker, I am going to skip over just a few statistics here.

In one State 39.8 percent of that State's boys were sent home because they were educationally deficient, most of whom could not read and write.

Mr. Speaker, that condition was not confined, my friends, to States on account of racial conditions, 41.5 percent were sent home from the State of Kentucky. Twenty-nine percent were sent home from the State of Florida, 38.7 percent were sent home from the State of Arkansas. And, Mr. Speaker, listen to this one. This is the choice of all, the great State of Arizona. One would think that Arizona would certainly take care of its school students. The State of Alabama had 44.4 percent rejections. Arizona's record was "white," 20.5 percent; Negro, 26.3; rejectees for educational deficiency. They could not get into the armed services of their country. But some boy from Illinois, Pennsylvania, Indiana, Massachusetts, Washington, and other States had to take their place.

Mr. Speaker, let us see what the State of Washington did. They have an excellent record of only 6.7 percent. The State of Utah, 5.9 percent; the State of Indiana, 9.3 percent; the State of Maine, 8.4 percent. But when a State had rejectees up to 35 and 45 percent I believe it is time that this Congress should help the State officials to do something about it. God forbid that we have another war, but we do not want to see a draft rejection record on the part of the Selective Service Agency that might jeopardize the defense of our Nation.

Mr. Speaker, this bill represents a start in the right direction. We are going to hear opponents get up here on this floor of this House and send out this bugaboo about turning our schools over to the Federal Government.

This bill provides that control remains in the States and local communities. Federal participation is from a directional advisory angle. The funds are provided as follows:

Local school districts, $1,060 million; textbooks, libraries, $100 million; local educational service, $100 million; network regional centers, $45 million; State educational departments, $25 million.

The States will have control of their schools under this bill, but the Federal Government is trying to do something to give them money so that the kids can secure a better education.

Mr. Speaker, the two boys Grissom and Young who finished this flight yesterday were educated primarily by Uncle Sam, and it did not hurt them to have Uncle Sam pay their expenses for education. We would not have accomplished these great scientific achievements if we had not this educational assistance from our Government.

Here is what Secretary Celebrezze said before the Committee on Federal Control:

> The Federal Government has provided aid to education in various forms for many years without complaints against Federal control. They refer to the Morrill Act of 1862 (land grants to colleges); the act of 1890 making cash grants to land-grant colleges; the Smith-Hughes Act; the Impacted Area Aid Act of 1950; the National Defense Education Act of 1958, and the aid to higher education acts adopted during the last Congress. In a discussion with Representative GOODELL during the House committee hearings Secretary Celebrezze asked: "Can you cite to me one example in the hundred years that the Federal Government has been in the area of education where the Federal Government has taken control of a program?"

Mr. Speaker, I hope this aid to our school system is passed by a large majority without amendments.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. POWELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2362) to strengthen and improve educational quality and educational opportunities in the Nation's elementary and secondary schools.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 2362, with Mr. BOLLING in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. POWELL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, education is the bulwark of our Great Society. We bring before you today a bill which recognizes as no bill that has ever come before this great body the importance of basic education to the maintenance of our great American heritage. When President Johnson delivered his state of the Union message at the beginning of the 89th Congress, he stressed the unique role that education must play if we are to achieve our goals of liberty, equality, and union. He called attention to the fact that a nation cannot remain both ignorant and great. He complimented us upon our tremendous achievements of the 88th Congress, but called even greater attention to the needs before us. This bill, H.R. 2362, would strengthen and improve educational quality and educational opportunities in the Nation's elementary and secondary schools.

Every aspect of our American life demands more and better education if we are to keep pace with the rapidly changing conditions of our society. We can no longer be satisfied with Federal participation concentrated upon the selected few who enter our institutions of higher learning. We are compelled to give our most sincere and dedicated attention to the masses of our American youth, youth whose futures are bright with promise, youth who give America new visions and new goals. We must not wait any longer—it is later than you think.

This bill before us will be legislating a basic principle—education for all of America's children without regard for poverty, cultural deprivation or any other artificial barrier. This principle is consistent with the basic dream of America as a nation of enlightened citizens who can act upon their own thinking. We cannot delay—the hour is far spent. All about us we see evidence of the need for increased Federal support to education. In one State alone, 49 percent of the young men drafted for service to their country were refused because they did not have the academic skills necessary to perform even as a private in the U.S. Army. We cannot concern ourselves only with children attending public schools. We must be interested in all children. We know that this bill does not meet every need, but again I say with my colleague, the gentleman from New Jersey, FRANK THOMPSON, we are legislating a principle.

Two years ago I introduced the concept of shared time as a means through which Federal support might be given to children attending nonpublic schools. During hearings which I conducted on this measure it was learned that already 35 states have had programs in shared

time or dual enrollment covering many areas of the curriculum. Even though there had not been much general discussion about the idea, these experiences date back more than 40 years, and I dare to wager that some of my colleagues here present have shared in experiences of this kind during their elementary and secondary education.

During our present hearings on H.R. 2362 we took testimony from 117 witnesses. Our printed record included statements from 147 additional persons. After seven executive sessions of the full committee we reported the bill with a 23-to-8 bipartisan vote.

The bill does not authorize funds for the payment of private school teachers; nor does it authorize the purchase of materials or equipment or the construction of facilities for private schools. It specifically prohibits any Federal funds being used for religious or sectarian purposes and clearly states that:

> The local educational agency must provide satisfactory assurance that the control of funds * * * and the title to property derived shall be in the public agency for the uses and purposes provided in this title and that a public agency will administer such funds and property. (Sec. 205, subsec. 3, p. 79.)

Testimony taken from the leading professional organizations and church organizations agree that there has been no violation of the "wall" of separation. The Justice Department has also indicated that this bill is constitutional.

Some fear that the Federal Government might take control of education if this bill becomes public law, but may I remind you that throughout the bill responsibility for the determination of the program and its execution belongs to the local and State educational authorities. In title I—section 205, subsection A, page 78—a local educational agency may receive a basic grant or a special incentive grant only upon application therefore approved by the appropriate State educational agency. In title II—section 203, subsection A, page 94—any State which desires to receive grants must submit to the Commissioner a State plan. The grants for supplementary educational centers and services provided in title III are to be made to a local educational agency or agencies. Title V is specifically for the support and strengthening of the State departments of education. Hence, great care is given to the State's prerogative in the supervision and administration of public education.

However, may I further remind you that we have generally accepted the principle of aid to nonpublic institutions of higher learning. If this is sound public policy for the select few in higher education, should it not be equally sound policy for our children and youth in the elementary and secondary schools?

H.R. 2362, the bill before you, presents new landmarks in our struggle to obtain adequate elementary and secondary education for all of America's children. It is a fivefold program, each part of which is directed toward strengthening and improving the quality of American education.

Title I would provide a billion dollars of Federal funds to strengthen educational opportunities for 5 million children living in families who receive less than $2,000 a year. These young Americans have been paralyzed by poverty and the educational services have neglected to fill the gap in their educational experiences. Left unchecked, poverty's adverse effects become chronic, catagious, often leading to delinquency and crime. In the slums the schools are overcrowded, many are obsolete and unsafe. At least 30 percent of our schoolchildren go to school in classes averaging 30 or more pupils. In remote rural areas schools often offer inadequate programs under inadequate facilities. Title I adds a 3-year program designed to encourage and support the establishment, expansion, and improvement of special programs including the construction of minimum school facilities where needed to meet the special needs of educationally deprived children of low-income families. These special programs might include dual enrollment arrangements—shared time—educational radio and television, mobile educational services, remedial education, preschool or after school programs, additional instructional personnel, equipment and facilities, and other programs and activities judged necessary for improving the education of a disadvantaged child.

Local educational agencies would be eligible for payments equal to one-half the average per pupil expenditure in that State multiplied by first, the number of children—aged 5 to 17—in families having an annual income of less than $2,000; and, second the number of children in families receiving payments over $2,000 under the programs of aid to families with dependent children. For the second and third year, Congress would determine the low-income factor. Federal funds made available under this title would be used essentially for improving the education of educationally deprived students. State and local educational effort must be maintained. It is for this reason that the present formula uses the State's per pupil expenditure figure for determining the amount available for each child.

Those who would argue that the more prosperous counties would be rewarded unduly neglect to look at the full picture. For example, in the 10 wealthy counties cited by the opposition, the total expenditures for 1962 for public elementary and secondary school purposes was $466 million. Under the terms of title I these 10 counties would receive approximately $8.9 million, or 1.9 percent of their operating school budgets.

In the case of the 10 poor counties cited by the opposition, the total school budget is $13.2 million. The payments to these districts under title I would be approximately $4.5 million, or 34.2 percent of their 1962 school expenditures.

Title II is addressed to the important problem of instructional resources including library resources, textbooks, audiovisual materials, and other instructional resources. Particularly lacking in American schools are electronic devices, audiovisual materials, and other modern techniques of instructional materials.

Title II of the bill would authorize $100 million to be allotted to each State on the basis of the number of children enrolled in elementary and secondary schools within that State. This textbook program would introduce a new dimension beyond the present library services available. It would recognize that every child must have access to basic materials of instruction. The State and local educational agencies would set the criteria to be used in selecting the library resources, textbooks, and other instructional materials to be provided under this title. These resources furnished from the expenditures allotted to this title and control and administration of their use shall vest only in a public agency.

Materials purchased with Federal funds would not be used for sectarian instruction or religious worship and when made available for the use of children in nonpublic schools would be the same as those used or approved for use in the public schools of the State. There is a provision for the Commissioner of Education to provide such resources to students in nonpublic schools in those States where the State agency cannot perform this function. Those who would argue that this is violation of States rights need only to be reminded that this is the current practice in the operation of a hot lunch program. I wonder if the opponents would "feed the body but not the mind."

Title III, supplementary educational centers and services, proposes a 5-year program to provide vitally needed educational services not available in sufficient quantity or quality in elementary and secondary schools. It would encourage the development and establishment of exemplary elementary and secondary school educational programs to serve as models for regular school programs. Special personnel, equipment, and other costly educational services not normally available in most schools would be made possible in the educational centers provided in this title.

In order to assure that the programs under this title will be developed which will enrich educational experiences and opportunities already provided, the local educational agency must involve representatives of the cultural and educational resources of the area to be served. In the first fiscal year 1966 $100 million would be distributed among the States.

Title IV, educational research and training; Cooperative Research Act, authorizes the training of research personnel and improved dissemination of information derived from educational research and development. Authority would be granted to utilize the research competence of research organizations not now eligible to contribute to the program such as private noncollegiate research organizations and professional associations. In addition, the program would provide for the construction and operation of research facilities such as those now in operation at the Universities of Pittsburgh, Oregon, and Wisconsin, and Harvard University. If we are to truly improve the quality of teaching in our schools, we must give more assistance to the research facilities directed toward improving such quality.

Title V, grants to strengthen State departments of education. If the State de-

partments of education are to continue their leadership role in the development of quality education for all of America's children, Federal aid must be given to these departments. The funds provided in this title—$25 million—are very limited indeed and serve only as a stimulation to the States in their growing concern for improving and strengthening the quality of education. But they indicate the Federal Government recognizes that even though we are 50 sovereign States, we are also the United States of America.

I wish to congratulate my colleague, the gentleman from Kentucky, Congressman CARL PERKINS, not only for his specific efforts made in behalf of this bill, but for his lifetime of dedication to the cause of American children, to the efforts he has made since he first came to Congress to improve education on all levels for all children.

This is the precise moment in history for which we have waited. We cannot delay another moment. Let us pledge to teach our children—all our children—what they have not been taught. Let us teach all children that America belongs to them. Let us teach them about Crispus Attucks. Let us teach them about the first congregation of Jews to settle in Connecticut. Let us teach them about Lord Baltimore and the struggle of the Catholics to settle in America. Let us teach them about the struggle of the Quakers in Pennsylvania as they attempted to establish the City of Brotherly Love.

Let us teach every white boy walking down every dusty road in Georgia that America belongs to him. Let us teach every black boy out of the slums of Harlem that America is his. Let us teach every poor white in the mountains in Kentucky that the joys of America belong to him. Let us ring our bells of freedom and liberty throughout the land, and proclaim that peace cannot come until all know the joy of wisdom.

Let us not forget the words of the great brooding father when he said that this Nation "will never perish from the earth" as long as we maintain a government of the people—black and white—for the people—Jew and gentile—and by the people—Protestant and Catholic.

Mr. Chairman, I yield to the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, 16 years' service on the House Committee on Education and Labor has given me a deep appreciation of education's role and legitimate needs. I firmly believe that the educational needs of the United States will be met only when the Federal Government accepts its responsibility to provide a greater share of the cost of public education.

I am greatly concerned over the increasingly critical needs of education—at all levels—and I have sought throughout my 16 years of service in this House to meet those needs by supporting and working for broad and comprehensive aid-to-education programs, under both Republican and Democratic Presidents.

And, while I believe there should be substantial Federal support of the whole of public education at all levels and of all types, I well know that the immediate priority legislative objective in the field of education must be substantial Federal support for public elementary and secondary education.

In recognition of the general needs in education, we have greatly strengthened the ability of our vocational education system to equip our citizens with the vocational competencies and skills required through the enactment of the Vocational Education Act of 1963. We have greatly expanded the opportunity for students to acquire baccalaureate degrees by strengthening our institutions of higher learning through the Higher Education Facilities Act of 1963, and through the increased opportunities for higher education under the provisions of the National Defense Education Act. We have enacted legislation to increase the opportunities for the training of physicians, dentists, and professional health personnel so as to assure our communities a more adequate supply of trained people in this important field.

It has been plain for us in the Congress to see that our national defense needs cannot be met without the scientists and technicians to keep pace with technological developments and opportunities. It has been plain to see that emphasis should be given to science, mathematics, and the strengthening of our college programs to produce this trained manpower. It has been plain to see the relationship between high unemployment rates and the lack of vocational educational opportunities.

However, the very foundation of these more advanced areas of education and training are our elementary and secondary school systems.

Just as it is easier to see the weaknesses in that part of the building or house which is above the ground, it has been easier for the Congress and educational groups in general to move to improve the superstructure of the educational system before addressing attention to weaknesses in the foundation of the system.

However, it is most evident that an individual armed with a solid basic education has acquired the ability to readily acquire new knowledge and new skills as the processes of automation and technology require him to adjust to new changes and new job opportunities.

It is further evident that the inability of many deserving students to obtain college admission may be based on the lack of funds locally to provide that individual with the appropriate elementary and secondary education.

In my judgment, the House has before it today in H.R. 2362, the greatest legislative challenge ever faced by any Congress in our Nation's history.

Although the States and local communities historically have borne the major responsibility of financing public elementary, and secondary schools, they no longer can do so unassisted. Property taxes, the traditional mainstay of school support, today are totally inadequate to meet the need in many areas.

As our national income depends more and more upon modern industrial economic activity, the adequacy of fixed property as a source of governmental support declines proportionately. Broadly speaking, the bulk of the wealth of the Nation is not available for support of public education by means of the antiquated system of school support under which we still labor. Corporate profits and compensation of employees now account for more than 81 percent of the total national income—GPO publication, "Economic Indicators, 1964." These increasing sources of wealth traditionally have paid very little taxes to support the public schools. If such wealth is to carry a portion of the cost of education, the taxes must be levied by the Federal Government. The most recent analysis available indicates that about 94 percent of taxes on personal and corporate income is paid to the Federal Government, leaving available to State and local government only a relatively small portion of the taxpaying power of the major income sources of the total economy of the Nation—Economic Report of the President, 1963.

This broader Federal tax base, I believe, must be utilized for education. There is a national interest in a well-educated citizenry, and the Federal Government, with these greater tax resources, has both the responsibility and the authority to help State and local governments meet at least minimum educational standards.

I believe that education is a matter of national concern; that not only our economic well-being but our national survival depends upon excellence in education. Education is big in terms of its impact—education is a paying investment. It has been estimated that in recent years our investment in education has been responsible for up to 40 percent of the Nation's growth and productivity. Educational investment is an investment which results in higher wages and greater purchasing power for the worker, and in the new products and techniques which come from trained minds.

Deviations in the quality of schools among communities contribute to the dropout problem—and the dropout problem is directly tied to poverty levels. A recent comprehensive study showed that almost half of the children from lower income neighborhoods do not complete high school. Yet, in sections of the country where provision is made for guidance, counseling, and other special programs, the dropout rate is being reduced. While these educational programs cost money, they are far more economical than the expense required to provide various welfare payments during the course of his life to an undereducated person who enters the work force unable to cope with the jobs available but unfilled.

The dollar loss to the individual with a poor education is great, but so is the dollar loss to the Nation in lack of purchasing power, lower tax revenues, and rising welfare costs.

Elementary and secondary schools will grow rapidly for years to come. College enrollment will reach 8,677,000 by 1975, compared with 3,610,000 in fall 1960. Skilled technicians will be more and more in demand while the unskilled and

undereducated will find it virtually impossible to find employment. Failure to provide each child, regardless of his geographic location or his economic status, with a sound basic education as a foundation upon which to base his vocational or professional training, can condemn him to a future of bleak poverty and frustration. Such failure must be prevented by effective Federal action.

Every extraneous matter that could be pressed into service has been seized upon to confuse the issue, which can be very simply stated: Do the American people honestly want the best public schools and the best public education that can be provided for the youth of this Nation?

Last summer President Johnson asked some of the most outstanding educational minds in this Nation to tackle the problem of aid to elementary and secondary education. He gave them a single instruction: "Find out how we can best invest each education dollar so that it will do the most good."

The educators decided that the Nation's first job was to help the schools serving the children from the very lowest income groups. These families constitute the No. 1 burden in this Nation on our public school system. These families, we know, cannot bear their share of the taxes to help pay for their education, and unless their children get a good education we know that they become, as President Johnson has said, "tax eaters instead of taxpayers." That is why this administration has placed top priority on breaking the vicious cycle that today threatens the future of about 5 million children in this, the richest Nation on earth.

In the weeks since the President's special message on education, January 12, his proposal for overcoming shortcomings in public elementary and secondary education has truly been put at the top of America's agenda—just as the President hoped it would be. In my 16 years in Congress no domestic measure ever presented by any President to any Congress, has ever generated greater congressional interest and support.

All studies show that education's deficiencies are nowhere more marked than in the poverty of the schools that serve the children of the poor—this is true in the heart of our great cities and throughout many rural communities in America. One-third of the children in the 15 largest school systems of the Nation need special educational help—are classified as "educationally disadvantaged." In the inner city schools of these cities, as many as 60 percent of the students enrolled in the 10th grade drop out before graduation. Up to 80 percent of all school dropouts come from the ranks of the educationally deprived school children—those in the inner city schools and depressed rural areas. Our draft rejection rates for educational deficiencies are almost 50 percent in some areas of the Nation—in all areas they are high enough to be of real national concern. This need is apparent from the fact that there are over 8 million adults who have completed less than 5 years of school. The need is apparent from the 20 percent unemployment rate of our 18- to 24-year-olds.

In many instances the record discloses that the inadequate tax base at the local level for educational purposes has prevented the establishment of fully effective school systems and, as a result, the children suffer. In many of our cities and rural mining communities and other areas throughout America, poverty has reduced local resources to the peril point.

As President Johnson reminded us in his special message on education:

> We can measure the cost—of neglect—in even starker terms. We now spend about $450 a year per child in our public schools. But we spend $1,800 a year to keep a delinquent youth in a detention home, $2,500 a year for a family on relief, $3,500 a year for a criminal in State prison.

The objective of this bill is to use education—the very best education we can provide—for those who have been traditionally neglected by our schools and are most dangerously neglected today. If we can reduce the costs of crime, delinquency, unemployment, and welfare in the future by well-directed spending on education now, certainly, on this count alone, we will have made a sound investment.

The measure we are considering today has been given extensive and intensive consideration by the education committees and subcommittees in both the House of Representatives and the Senate. My General Subcommittee on Education took favorable action after the most extensive hearings devoted to a single legislative proposal in recent history. The hearings lasted 8 to 10 hours a day for about 2 weeks. The executive sessions of both my subcommittee and Chairman POWELL's full committee, during which amendments were considered, consumed many additional days and hours.

Although the President's proposal came through the full committee and the House General Subcommittee on Education substantially intact, numerous perfecting amendments which improve the operation of the act while maintaining the original purpose were adopted.

I know and regret that some Members will try to revive the so-called church-state fight, though that matter is totally irrelevant since every provision of every title of this legislation has been drawn under the close scrutiny of the Department of Justice as to constitutionality, and found to be totally without fault.

I particularly and specifically want to commend my colleagues on the General Subcommittee on Education, the gentleman from Indiana [Mr. BRADEMAS], the gentleman from North Carolina [Mr. SCOTT], the gentleman from New York [Mr. CAREY], the gentleman from New Jersey [Mr. THOMPSON], and the gentleman from Michigan [Mr. WILLIAM D. FORD] for their tireless, dedicated efforts in helping bring this measure into being. Their constituents—no, the entire Nation—owe these gentlemen a debt of gratitude for their outstanding and knowledgeable guidance and contributions.

From all the available evidence, the greatest need for strengthening our elementary and secondary school programs lies in those schools having high concentrations of children coming from low-income families. There is a high correlation between family income and underachievement in elementary and secondary schools. The late Senator Robert Taft declared:

> Education is primarily a State function, but in the field of education, as in the fields of health, relief, and medical care, the Federal Government has a secondary obligation to see that there is a basic floor under those essential services for all adults and children in the United States.

H.R. 2362 has as its major purpose in the words of the President in his education message to "Bring better education to millions of disadvantaged youth who need it most."

Title I of the bill is directed specifically to strengthening educational opportunities in those schools where there are concentrations of children coming from low-income families. This title takes a substantial step forward in giving poor school districts and poor schools the ability to offer programs of instruction which will eliminate the lack of educational opportunity. Almost $1.1 billion of the total of approximately $1.5 billion called for under this bill is allocated under title I.

In many rural areas and in small school districts the impact of title I will provide as much as a 30-percent increase in local school budgets during fiscal year 1966. In such communities the lack of local financial resources have kept these school districts from keeping pace with new teaching techniques, new equipment, and adequate curriculum offerings. In most of these school districts the average per pupil expenditures are well below the State average per pupil expenditure for the State in which the district is located. Funds in these districts have not been available to provide such important program improving projects as: Inservice training for teachers, additional teaching personnel to reduce class size, supervisory personnel and full-time specialists for improvement of instruction, institutes for training teachers in special skills, supplementary instructional materials and equipment, audiovisual equipment and other newly developed special educational media, language laboratories, science and reading laboratories, and laboratories for modern instruction in other subject areas. Particularly lacking, in these school districts, has been the financial resources to offer preschool instruction. Funds under title I will be available to local public school districts to strengthen programs in public schools for these and other projects and programs which will improve educational opportunity for educationally deprived children.

In addition to these projects and programs which can be used for the strengthening of public school programs, the bill requires some broadening of public educational programs and services in which elementary and secondary school pupils who are not enrolled in public school may participate. The extent of the broadened services will reflect the extent that there are educationally disadvantaged pupils within the area served by the school district who do not attend public school.

No provision of the bill authorizes any grant for providing any services to a private institution. Nor does the bill authorize funds for the payment of private teachers. It does not authorize the purchase of materials or equipment or the construction of facilities for any private school.

However, consistent with the number of educationally deprived children in the school district who are enrolled in nonpublic elementary and secondary schools, the local public educational agency will make provision, under the terms of the bill, for including special educational services and arrangements such as dual enrollment, educational radio and television, educational media centers, and mobile educational services and equipment in which such children can participate.

Specific language has been adopted in the bill to assure that the local public educational agency will maintain administrative supervision and control of the programs provided and that the title to any property constructed or purchased shall be in a public agency and that a public agency will administer the funds and the property for the purposes of the title.

THE FORMULA USED IN THE BILL IS ONE OF THE MOST INGENIOUS EVER DEVELOPED TO DISTRIBUTE FUNDS TO AREAS OF SPECIFIC NEED

A great deal of time and effort was expended by the subcommittee and the full committee in exploring all ramifications of the formula.

The committee considered a large amount of educational statistics, economic statistics, and formula variations in an effort to find alternative approaches which would produce greater equity. No other formula considered by the committee attacks the problem as effectively and as equitably as the formula for the distribution of funds in title I. The formula would distribute $1.06 billion to local public school districts on the basis of the number of educationally deprived children in those school districts.

As has been previously observed, there is a strong correlation between income and educational deprivation. Census data are available to the county level to show the number of children ages 5 to 17—school age—who come from families whose income is less than $2,000 per annum. Accordingly, an entitlement for the school districts within a county would be determined by multiplying the number of such children plus additional children whose families received more than $2,000 under AFDC by 50 percent of the average per pupil current expenditure in the State. Thus, within a State, the payment to poor school districts will be equalized to the State average per pupil expenditure and will enable sharp and decisive upgrading and enrichment of elementary and secondary school programs in those schools where there are concentrations of educationally deprived children. The formula has had the greatest support of any formula of distribution ever proposed. The formula has had its critics but their alternatives create much greater inequities than the supposed inequities they seek to cure.

In this connection, it might be well to observe that some have criticized the formula because of the $2,000 level of income used in determining the number of children upon which a distribution of funds is to be made. Some say that the $2,000 income level does not represent as severe a state of poverty in one area as in another area. To some extent this certainly may be true, but wherever concentrations of children are found coming from families with that level of income, no one can deny that a state of deprivation exists. Moreover, the variations in the degree of poverty which may occur from area to area under the $2,000 family income level is to a great extent compensated by the factor in the formula which pays the school district for each such child on the basis of the average per pupil expenditures in that State. Moreover, the per pupil expenditure factor reflects the varying costs from area to area of providing educational services and programs.

In the minority report, the case of 10 so-called wealthy counties is compared to the case of 10 so-called poor counties. The minority fails to disclose all of the facts in their analysis of these 20 counties. What they have concealed is the impact of the Federal funds under title I on the local school district's elementary and secondary education programs. For example, in the 10 wealthy counties cited, the total expenditures for 1962 for public elementary and secondary school purposes was roughly $467 million. Under the terms of title I these 10 so-called wealthy counties would receive approximately $8.9 million, or 1.9 percent of their operating school budget. In the case of the 10 poor counties cited by the minority, this total school budget is $13.2 million. The payments to these districts under title I would be approximately $4.5 million, or 34.2 percent of their 1962 school expenditures. Thus the impact in title I on the poor counties will enable a sharp and decisive upgrading and enrichment of the elementary and secondary school programs. In the wealthier school districts, much smaller percentage increases will result but increases which nevertheless will enable the pinpointing of projects and programs to provide needed special educational services to the educationally deprived children clustered in pockets of poverty in the wealthier counties.

There are situations in all the so-called wealthy counties similar in condition to Toby Town in Montgomery County, which was given such prominent play in a Washington newspaper last Sunday, though they may be city slums instead of suburban pockets of poverty. We are concerned that deprived children be helped wherever they reside.

At this point in the RECORD, I would like to include a table showing the impact of Federal funds under title I in the 20 counties cited by the minority.

Some criticism has been made of the fact that the formula uses 1960 census data. Admittedly, 1960 census data would not be as useful as 1965 census data if such were available. It should be remembered, however, that 1960 census data has only been available since 1962.

The table follows:

"Rich versus poor counties"—The impact of Federal funds under title I of the Elementary and Secondary Education Act of 1965

[Dollars in thousands]

County	1962 educational expenditures [1]	Estimated fiscal 1966 Federal payment	Federal contribution as a percent of 1962 educational expenditures
Montgomery, Md	$44,073	$573	1.3
Arlington, Va	14,050	236	1.7
Fairfax, Va	26,950	349	1.3
Du Page, Ill	33,159	444	1.3
Marin, Calif	16,544	339	2.0
Westchester, N.Y	103,169	2,189	2.1
Bergen, N.J	72,214	1,315	1.8
Union, N.J	44,229	1,063	2.4
Montgomery, Pa	51,567	857	1.7
Fairfield, Conn	60,728	1,554	2.6
Total	466,683	8,919	1.9
Grant, W. Va	507	125	24.7
Falls, Tex	1,504	432	28.7
Sunflower, Miss	2,197	745	33.9
Knox, Ky	1,475	471	31.9
Tensas, La	1,244	329	26.4
Williamsburg, S.C	2,248	811	36.1
Sumter, Ala	1,047	391	37.3
Holmes, Miss	1,226	547	44.6
Breathitt, Ky	1,129	300	26.6
Tunica, Miss	620	357	57.6
Total	13,197	508	34.2

[1] Taken from U.S. Bureau of the Census. Census of Governments, 1962, vol. IV, No. 4, "Compendium of Government Finances," table 53, "Education Other Than Capital Outlay." This is the latest uniform listing by county of educational expenditures.

It does take time to process such information. The bill requires the use of the most recent census data that is available. However, the use of 1960 census data is the most reliable and accurate data uniformly applicable to all of the States on which to make a distribution. In fact, the alternative proposals with respect to formulas which have been suggested and which have been fully considered by the committee, would make use of the same census data.

As I have previously observed, census data are available to enable the formula to result in an allocation for every county in the United States. In some instances census data are available to enable such a breakdown to cities and towns. If census data are available for determining the amounts which will be available for school districts within a county, the terms of the legislation require its use.

When census data are not available below the county level, the State educational agency will provide for allocations to the school districts on the basis of uniformly available data for such districts which will correlate highly with educational deprivation. This could include such measures as reading comprehension levels, and children receiving support under the program of aid to families with dependent children.

In considering the legislation, the General Subcommittee on Education, in extensive hearings, had the benefit of the testimony of constitutional lawyers, religious group representatives, and educators and education associations. Expressions of concern were not directed at the major purpose and thrust of the legislation but about specific wording of

sections. In this connection, former Secretary of Health, Education, and Welfare Arthur S. Fleming, representing the National Council of Churches of Christ, testified late in January, and I quote:

I have no hesitancy, therefore, in stating that the national council supports the basic principles incorporated in the proposal to make Federal funds available to public elementary and secondary schools in order to meet the needs of children in school attendance areas having a high concentration of disadvantaged children. We believe that it is a basically sound proposal. We welcome it.

As a result of some of the very helpful suggestions given us by the many witnesses who appeared before the subcommittee, amendments were made to the legislation to strengthen the bill. Subsequent to the adoption of these amendments, Arthur Fleming testified before the Senate Subcommittee on Education where the following questions and answers were given:

Senator YARBOROUGH presiding pro tempore. Dr. Fleming, have you had an opportunity to see the amendments to this bill that have been adopted by the House subcommittee?

Dr. FLEMING. Yes, Mr. Chairman, I have, and I have a committee print of the House bill here with me.

Senator YARBOROUGH. Do these amendments as added in the House subcommittee, in your opinion, meet the objections that you have in your statement or not?

Dr. FLEMING. In my opinion they do.

Senator YARBOROUGH. They do?

Dr. FLEMING. They do meet the points that I have made in my testimony.

At this point, Mr. Chairman, I would like to insert in the RECORD a summary of the major amendments adopted by the general subcommittee and the full committee and a statement rebutting the minority views on H.R. 2362 which are contained in House Report No. 143:

MAJOR AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 ADOPTED BY THE GENERAL SUBCOMMITTEE ON EDUCATION IN REPORTING THE MEASURE TO THE FULL COMMITTEE, FEBRUARY 5, 1965

I

Amended section 205 of title I to require that a public agency administer the funds and property provided under title I and retain title to property.

II

Amended section 4 of title I to prevent funds provided under the Elementary and Secondary Education Act of 1965 being counted in the impacted areas formula in computing entitlements under that educational program.

III

Adopted an amendment to title I requiring the Congress to fix factors in the formula for the 2d and 3d fiscal years of title I's operation, thus in effect, requiring congressional authorizations of appropriations for fiscal years 1967 and 1968.

IV

Amended section 201 of title II authorizing appropriations of $100 million for the purposes of title II for fiscal year 1966 and requiring additional congressional authorization for appropriations for the next ensuing 4 fiscal years of that title's operation.

V

Added a new section 205 to title II (renumbering subsequent sections). The new title requires that the title to all library resources and textbook material vest only in a public agency and that a public authority have sole control and administration of the use of such material. One effect of this amendment is to require the textbook material be made available to students on a loan basis only.

VI

Authorized appropriations of $100 million for title III for fiscal year 1966 and required additional congressional authorization of appropriations for the next ensuing 4 fiscal years of title III's operation.

VII

Amended section 304 of title III so as to authorize grants to local public educational agencies only and required local educational agencies to provide for the participation in the planning and execution of title III programs of persons who are broadly representative of the cultural and educational resources of the area to be served by the supplemental services. This differs from the original provision which would have permitted grants to nonpublic agencies and would have required institutional representation on any agency carrying out a supplemental educational service with Federal grants.

VIII

Amended section 401 of title IV which deals with the Cooperative Research Act amendments to absolutely prohibit grants or contracts with higher educational institutions for training in sectarian instruction or for work to be done in an institution or a department or branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects. Previously the amended section authorized the Commissioner to make grants to universities and colleges to assist in providing training and research in the field of education. The amendment makes clear that the grants cannot be used for any religious or sectarian research or teacher training.

IX

Also amended the definition of "research and related purposes" in section 403 of title IV so as to make absolutely certain that such terms does not include research, research training, surveys, or demonstrations in the field of sectarian instruction or the dissemination of information derived therefrom.

X

Amended section 501 of title V, increasing the authorization of appropriations for the purpose of grants to State educational agencies from $10 to $25 million for fiscal year 1966, and requiring additional congressional authorization for the next ensuing 4 fiscal years. In addition, this amendment also eliminated the requirement that the States match the grants for the first 2 fiscal years.

XI

Extended the existing impacted areas program (due to expire fiscal year 1966) to fiscal year 1968 so as to coincide with the expiration date of the new title II being added to Public Law 874.

A SUMMARY OF COMMITTEE AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965, MARCH 2, 1965

TITLE I

(a) Approved an amendment to insert "(including preschool programs)" in section 201. This is the declaration of policy section. The purpose of the amendment is to make it clear that preschool programs is one of the means by which public local educational agencies may improve educational opportunities for educationally deprived children.

(b) Adopted an amendment to section 205 to make clear that nothing in that section should be deemed to preclude one or more school districts (at their option) from combining their grants for the purpose of initiating a more effective program.

(c) Adopted amendments which made clear that educational programs conducted by local public school agencies would be available to all children in those portions of title I which dealt with special dual enrollment, educational radio and television, and mobile educational services.

(d) Approved amendments to title I which will assure that the State educational agencies will see to the adoption of procedures for the objective measurement of educational achievement as one of the means of evaluating the effectiveness of the programs in meeting the public educational needs of children from low income families and that reports of such agency will include such information.

(e) Adopted an amendment to include in the formula children who are on public assistance (ADC), coming from families whose annual income is in excess of $2,000.

(f) Adopted an amendment to assure that effective procedures will be adopted for obtaining and distributing to teachers and school administrators significant information derived from educational research demonstration and similar projects.

(g) Adopted an amendment to establish a National Advisory Council to be appointed by the President within 90 days after the enactment of title I, for the purpose of reviewing the administration and operation of title I. The Council is to be composed of 12 members and in addition to their function of making recommendations for the improvement of the title and its administration and operation, the Council shall make an annual report of its findings and recommendations to the President not later than March 31 of each calendar year beginning after the enactment of the title. Such report and recommendations are to be transmitted to the Congress together with the President's comments and recommendations.

(h) Approved subcommittee amendments which require that a public agency administer the funds and property and retain title to such under the provisions of title I.

(i) Approved subcommittee amendment requiring the Congress to fix the factor in the formula for the second and third fiscal year of title I's operation, thus in effect, requiring congressional authorization of appropriations for fiscal years 1967 and 1968.

(j) Amended section 4 of title I to prevent funds provided under the Elementary and Secondary Education Act of 1965 being counted in the impacted areas formula in computing entitlements under that educational program.

(k) Extended the existing impacted areas program (due to expire fiscal year 1966) to fiscal year 1968 so as to coincide with the expiration date of the new title II being added to Public Law 874.

TITLE II

(a) Approved subcommittee amendments requiring that a public agency retain title to textbooks, library resources and public instructional materials made available on a loan basis to elementary and secondary school students.

(b) Adopted language which assured that such materials would be available to elementary and secondary school students without discrimination as to the schools in which they were enrolled.

(c) Adopted clarifying language which makes clear that library resources, textbooks, and other printed and published materials are not being made available to schools but to children and teachers.

(d) Adopted an amendment reserving 2 percent of the sum appropriated for title II for allotment to the Commonwealth of

Puerto Rico, Guam, American Samoa, the Virgin Island, and the Trust Territory of the Pacific Islands.

(e) Amended section 201 of title II authorizing appropriations of $100 million for the purposes of title II for fiscal year 1966 and requiring additional congressional authorization for appropriations for the next ensuing 4 fiscal years of that title's operation.

TITLE III

(a) Approved subcommittee amendments including the amendment requiring grants made available under title III to be made to a local public educational agency or local public educational agencies.

(b) Identified "physical education, recreation" as one of the many program objectives authorized for supplemental service and center projects.

(c) Adopted an amendment authorizing the Commissioner to reserve not in excess of 2 percent from the sums appropriated for title III to be apportioned among the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands, and further adopted amendment excluding such entities from the term "State", and adopted conforming amendments to the definitions contained in title VI.

(d) Adopted amendment to title III to emphasize, in connection with any funds authorized for the construction of facilities, the need for planning such facilities for multipurpose use for artistic and cultural activities after normal school hours.

(e) Authorized appropriations of $100 million for title III for fiscal year 1966 and required additional congressional authorization of appropriations for the next ensuing 4 fiscal years of title III's operation.

TITLE IV

(a) Adopted an amendment to include "information concerning promising educational practices developed in the programs carried out under the Elementary and Secondary Education Act of 1965" as information to be disseminated under the cooperative research expanded program authorized by title IV.

(b) Adopted an amendment requiring the Commissioner of Education to obtain the advice and recommendation of a panel of specialists who are not employees of the Federal Government, to assist him in making his evaluation of cooperative research grant proposals. Formerly this section required the advice and recommendation of "specialists."

(c) Adopted amendments to assure that one of the activities authorized by grants under the provisions of title IV was the dissemination of information requiring the innovations and developments produced by cooperative research.

(d) Amended section 401 of title IV which deals with the Cooperative Research Act amendments to absolutely prohibit grants or contracts with higher educational institutions for training in sectarian instruction or for work to be done in an institution or a department or branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects. Previously the amended section authorized the Commissioner to make grants to universities and colleges to assist in providing training and research in the field of education. The amendment makes clear that the grants cannot be used for any religious or sectarian research or teacher training.

(e) Also amended the definition of "research and related purposes" in section 403 of title IV so as to make absolutely certain that such term does not include research, research training, surveys, or demonstrations in the field of sectarian instruction or the dissemination of information derived therefrom.

TITLE V

(a) Adopted an amendment to authorize State educational agencies to use title V grant funds for the purpose of providing consultative and technical assistance services with respect to "school health, physical education and recreation" among the other activities already authorized with the use of title V funds.

(b) Changed the date (formerly 1968) for the appointment of an Advisory Council on State Departments of Education so that the organization of such council will take place "within 90 days after the date of enactment of title V."

(c) Adopted an amendment requiring the Advisory Council to make an annual report of its findings to the Secretary not later than March 31 of each calendar year beginning after the enactment of title V and further requiring the Secretary to transmit each such report to the President and to the Congress together with his comments and recommendations.

(d) Amended section 501 of title V, increasing the authorization of appropriations for the purpose of grants to State educational agencies from $10 to $25 million for fiscal year 1966, and requiring additional congressional authorization for the next ensuing 4 fiscal years. In addition, this amendment also eliminated the requirement that the States match the grants for the first 2 fiscal years.

A Rebuttal to the Minority Views on H.R. 2362, House Report 143

THE MINORITY'S ALTERNATIVE

Throughout the minority report the viewpoints reflect a failure to give accurate attention to the details of the legislation.

In general, the minority professes to recognize a great problem in providing educational opportunities for deprived children and a commitment to meet those problems, and in the same breath, offers a substitute which would eliminate half of the educationally deprived children helped by the committee bill and reduce the funds devoted to their education by more than 70 percent.

Moreover, their proposal, masquerading as an educational measure, is in reality a tax credit proposal giving some taxpayers windfalls, others Government subsidy, and providing the schools with nothing.

THE DISTRIBUTION OF FUNDS

The minority deceptively maintains that the distribution of funds would be wasteful and inequitable, and in an effort to prove this premise, cites the distribution of funds to 10 wealthy counties in the United States as compared to 10 poor counties. What they have concealed in their analysis is the impact of the Federal funds under title I on the local school district's elementary and secondary education programs in these 20 counties. For example, in the 10 wealthy counties cited by the minority, the total expenditures for 1962 for public elementary and secondary school purposes was $466 million. Under the terms of title I these 10 counties would receive approximately $8.9 million or 1.9 percent of their operating school budgets.

In the case of the 10 poor counties cited by the minority, the total school budget is $13.2 million. The payments to these districts under title I would be approximately $4.5 million or 34.2 percent of their 1962 school expenditures.

Thus the impact in title I on the poor counties will enable a sharp and decisive upgrading and enrichment of elementary and secondary school programs where there are concentrations of educationally deprived children.

In the wealthier school districts, much smaller percentage increases will result from title I, increases which nevertheless require the pinpointing of programs to provide needed special educational services to the educationally deprived child clustered in pockets of poverty even in the wealthiest counties.

The minority would give the impression that it favored amendments to more closely direct the bill toward poverty needs, but in effect, their proposals would have eliminated any of the bill's benefits for 3 million children who are unmistakably, by any calculation, children of poverty.

CENSUS DATA

The minority makes obtuse criticism of the formula's use of 1960 census data. Admittedly this is the most recent data available for a uniform distribution of funds to identify concentrations of poverty children. Even the minority recognizes this fact because in their so-called substitute, 1960 census data would be used for the distribution of an extremely modest program for 3- to 8-year-olds.

In a further effort to support the minority contention that the formula for the distribution of funds is inequitable, allocations to Texas, Maine, and Florida are cited. In this connection, the minority report states—"Texas, Maine, and Florida, for example, have approximately equal per capita income (which is often used as one index of State ability to support education), yet this bill would give Texas twice as much per school-age child ($31) as Maine would receive ($15), and half again as much as Florida would receive ($21)."

What the minority failed to state was that in Maine there are 20,000 kids coming from families with less than $2,000 per annum. On the other hand, Texas has 386,599, and Florida 143,000 of such children. The truth of the matter is that the formula utilizes the most recent and reliable data to focus Federal financial assistance to elementary and secondary schools where there are numbers of educationally deprived children to aid such children wherever they are found, whether in poor, average, or wealthy counties, and the resulting grants of funds will make substantial and meaningless contributions to the abilities of local school districts to do something for them.

PRESCHOOL EDUCATION

The minority report places great emphasis on preschool training, and in an effort to cast doubt on the effectiveness of H.R. 2362, makes this false statement: "Through omitting preschool training, H.R. 2362 fails to cover the most important educational period in one's life." Thus the minority chooses to ignore or has not read the very first section of the bill, section 201, which appears on page 70, and in part states: "The Congress hereby declares it to be the policy of the United States to provide financial assistance * * * to local educational agencies serving areas with concentrations of children from low-income families to expand their educational programs by various means (including preschool programs) which contribute particularly to meeting the special educational needs of educationally deprived children."

The minority chooses to ignore page 6 of the committee Report No. 143 where preschool programs are given as a specific illustration of the types of programs that can be conducted by Federal funds under this act by local public school agencies in increasing educational opportunities for educationally deprived children.

FEDERAL CONTROL

Despite the minority's professed desire to preserve local public school autonomy over local school policy, its so-called substitute would make it mandatory for local public school districts to provide preschool programs irrespective of any consideration of local needs. On this point the full committee majority report emphasizes: "It is the intention of the proposed legislation not to

prescribe the specific types of programs or projects that will be required in school districts. Rather, such matters are left to the discretion and judgment of the local public educational agencies since educational needs and requirements for strengthening educational opportunities for educationally deprived elementary and secondary school pupils will vary from State to State and district to district."

However, the real interest by the minority in preschool education seems simply to be a prelude to their so-called substitute legislation which would limit benefits to 3 to 8 year olds, thus cutting out several million educationally deprived children from receiving broadened and increased educational opportunities.

LIBRARY RESOURCES AND TEXTBOOKS

The minority report, in its criticism of title II dealing with library resources, textbooks, and other instructional materials, completely ignores the uncontradicted and voluminous testimony as to the great shortages of such materials in our elementary and secondary schools throughout the country which are described on pages 8, 9, 10, and 11 of the committee report.

The minority's suggestion that this need can be met by broadening the provisions of the Library Services Act confesses to a lack of understanding of the need for school library resources. The Library Services Act serves only community libraries.

The minority's whispers concerning Federal control of textbook and library resources material ignores strict provisions in the bill which prohibit "any department, agency, officer, or employee of the United States from exercising any direction, supervision, or control over the curriculum, programs of instruction, administration, or personnel of any educational institution or school system or over the selection of library resources, textbooks, or other printed or published instructional materials" which is contained in section 604.

It also ignores the provisions of title II which authorizes only those textbooks and library resources which have been approved for use by public authority in a State or which are actually used in the public schools of the State.

CRITICISMS OF COMMITTEE CONSIDERATION

To cast further doubt on the propriety of the legislation, the minority, by indirection, suggests that the legislation was not given careful consideration or that it was hastily conceived. For many Congresses, House and Senate committees have probed the problem of strengthening elementary and secondary education in this country. Many proposals for Federal assistance have met with failure because such legislation did not receive broad public support and because other issues became inextricably woven into the general legislation.

Extensive hearings were held during the 88th Congress by more than one subcommittee of the House Education and Labor Committee and by the Labor and Public Welfare Committee of the Senate, in an effort to get together all points of view concerning elementary and secondary educational needs. From these hearings and from extensive study by many agencies, the recommendations in H.R. 2362 came into being.

It has received the broadest public support of any elementary and secondary education proposal in the history of the Congress. All of the major education associations have expressed support for the legislation.

In addition, the extensive hearings conducted by the General Subcommittee on Education during this Congress have elicited expressions of approval as to the terms of the legislation from representatives of major religious groups whose counsel and suggestions have been followed in framing the final language of the bill. An account of the extensive nature of these hearings and considerations is given on page 23 of the report.

The minority report, in criticizing the work of the subcommittee and of the full committee, can be simply reduced to a criticism of the exercise of responsible and diligent conduct of the legislative business of the Congress. To have extended the hearings when there were no more witnesses to be heard, to have conducted further study of an already adequately probed field of investigation, would have amounted to unreasonable delay and procrastination.

Other language in the minority report again indicates a failure to read the bill. For example, the minority criticism of the use of language "temporary or other basis" is simply not justified because such language does not appear in the legislation reported.

The minority criticism of title III, "Grants for Supplemental Educational Centers," ignores the fact that centers and supplemental services projects would be operated entirely by local public educational agencies. Moreover, it completely ignores the requirements in the bill that applications by local public educational agencies for grants must be submitted to the State educational agency for consideration, comment, and appraisal before any grant can be made.

It completely ignores the fact that supplemental educational centers and services operated by local public educational agencies must conform to State law.

TITLE V GRANTS TO STATE EDUCATION AGENCIES

Finally, the minority criticizes the lack of State matching requirements in grants to States for strengthening State education agencies. The administration's proposal for providing funds for strengthening State departments of education required matching beginning with the first year. If Federal funds were to be matched at the outset, State legislative approval would be needed. Such a requirement would hinder early participation by State departments of education in overall planning and development, to the detriment of all programs under their supervision. By the time this legislation is passed, many of the 47 State legislatures meeting this year in regular session will have adjourned. Of this number only 21 will meet in regular session next year. Special sessions of considerable expense and with considerable delay would be necessary prior to the State's participation. Consequently the committee's amendment eliminated matching requirements for the first 2 years of title V's operation. Matching will be required thereafter.

Titles II, III, IV, and V of the bill which deal with supplemental educational centers, library resources, textbooks, and other instructional materials, educational research, and grants to State departments to strengthen educational services in those agencies, all have a direct bearing on improving the educational quality of programs conducted under title I as well as generally in elementary and secondary education systems.

Title II provides grants to States for the acquisition of textbooks, library resources, and other instructional materials to be made available to students and teachers on a loan basis. Such materials would be made available to such students, irrespective of their enrollment in public schools, however, such books and materials would be for the purpose of enriching educational opportunities and not supplanting those already being provided. In all instances the material used would be material approved for use in public schools.

The committee has received startling evidence as to the lack of library resources, textbooks, and instructional materials in all States of the Nation.

The pressure of school population growth, and school housing and teaching requirements, have left such needs ignored though they are fundamental to the improvement of quality and full educational opportunity.

Title III of the bill would authorize $100 million for the purpose of making grants to local public educational agencies or groups of such agencies for the construction and operation of supplemental educational centers through which educational services and enriched educational opportunities could be provided elementary and secondary school students. It is through such centers that opportunities for inservice teacher training, demonstrations of new teaching techniques, and instructional courses not offered in regular school programs, for example, could be provided for the benefit of the entire community. Such centers and programs would be conducted by the local public educational agency and be under its administrative control and supervision at all times.

Title III will make possible the translation of the educational innovations into the classrooms of our schools and will provide a means by which educational development from research and demonstration projects conducted under the Cooperative Research Act can be more effectively demonstrated and used.

Title IV anticipates the use of $45 million in new funds for the purpose of broadening educational research and the establishment of additional regional laboratory facilities of which there are now only four under the basic Cooperative Research Act.

Title V provides $25 million for grants to strengthen State departments of education through improved educational planning, research and demonstration programs, inservice training programs, and personnel exchange arrangements, among others. The strength of our decentralized public education system in this Nation depends upon the building of strong State programs. This title will contribute to that end.

This legislation in total represents a broad and imaginative approach to the solution of many basic educational problems facing our elementary and secondary school systems today. While we do not profess to have solved all such problems, we believe that this massive first step attacks the most critical areas of educational need and will contribute substantially to the goal of equal educational opportunity for all children. The benefits will accrue not only to the children but to the States and the Nation as a whole.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I am glad to yield to the majority leader.

Mr. ALBERT. I am glad the gentleman has made this statement. I want to join him in what he has said.

The subcommittee has held hearings which gave every witness who desired

to testify the opportunity to be heard. Under the chairmanship of the distinguished gentleman from Kentucky, whose record in the field of education is second to none in the United States, the committee has produced a bill. Its committee report and record of hearings all give testimony to the quality of the work of that fine subcommittee.

The gentleman in the well of the House was the author of one of the great education landmarks in the history of this country, in the Vocational Education Act of 1963.

The entire subcommittee, ignoring other demands, giving up their evenings and weekends, handled a difficult job. The gentleman and his subcommittee members deserve the undying commendation of the House.

Mr. PERKINS. Let me say to the distinguished majority leader and members of this committee that we heard every witness in the country who requested to be heard, every witness that the minority suggested. Those witnesses were all heard.

We did use reasonable diligence. We did not procrastinate. We have done that on too many occasions in the past.

Mr. ALBERT. Mr. Chairman, will the gentleman yield to me?

Mr. PERKINS. Yes. I yield to the majority leader.

Mr. ALBERT. In order that I may call the attention of the House to a telegram I have just received dated today and delivered this afternoon, addressed to me, which reads as follows:

WASHINGTON, D.C.,
March 24, 1965.

Congressman CARL ALBERT,
Majority Leader,
Washington, D.C.:

As the minister of the National City Christian Church, Washington, D.C., the National Church of the Disciples of Christ, I wish to go on record in support of the education bill H.R. 2362, as it is, now before Congress. I think questions being raised are really attempts to prevent passage of any bill, when we need to deal with this great problem and solve it now. I am in support of the bill for many reasons, but will not elaborate them here. I wish also to declare that no action has been taken by the international convention of Christian churches (Disciples of Christ) against the bill. In fact in recent years the convention, which is the most representative body of the denomination, has passed several resolutions favoring Federal aid to education.

It may be that within the denomination, some committees or departments have taken action concerning what they considered safeguards, just as such action has been taken by the national council of churches, and other religious groups. But the convention has taken no such action. It should also be stated that even if the convention had taken the action, it would not be binding on the churches, nor necessarily reflect the views of the churches. Indeed I am sure that many of our churches and many of our nearly 2 million members favor this aid to education. The main purpose of my telegram, however, is to state no such action against the bill has been taken by our convention, and to declare my support for the bill, as it is. I would like to add, if there is confusion in some quarters which led to my sending this telegram, it is just another warning concerning how careful groups, committees, departments should be in taking actions which leave the impression they speak for a denomination or a church.

GEORGE R. DAVIS,
Minister, National City Christian Church.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from New York.

Mr. GOODELL. The gentleman made reference to full hearings. I think the RECORD should show that the hearings took a total of 10 days. The gentleman in the well was the chairman of the subcommittee and he was most generous in according full time for cross-examination of witnesses as they appeared before us and in scheduling the witnesses. However, I think in fairness it should be pointed out, also, that this was a brandnew bill and many of the witnesses who appeared had the copy of the bill for a day or two and so stated as they started their testimony. Also, that on the last day of the hearings we had 28 witnesses scheduled.

Mr. PERKINS. Let me say to the distinguished gentleman from New York that we have held hearings on general Federal aid practically every year for the past 16 years. All the witnesses that wanted to appear we heard. The minority were not cut off in their cross-examination. The distinguished gentleman from New York, himself, at times would interrogate a witness as long as an hour and a half. I will leave it up to the membership of this body, if you will get the hearings, as to whether or not this bill has been adequately considered. In my judgment, this bill has received perhaps as careful and as thorough consideration as any bill that has ever come before this House.

Mr. POWELL. Mr. Chairman, will the gentleman yield briefly?

Mr. PERKINS. I yield to the gentleman from New York [Mr. POWELL].

Mr. POWELL. I hold in my hands the hearings—and I have been chairman of this committee for the fifth year now—2,128 pages of testimony. As a Baptist minister who believes in "being Baptist bred and Baptist born and I am going to go to heaven on a Baptist horn," I want to point out to my fellow Baptists that Dr. C. Emanuel Carlson, executive director of the Baptist Joint Committee on Public Affairs, testified 100 percent in favor of this bill.

Mr. PERKINS. Other groups that have expressed approval of the bill are the Episcopal Church bishops, the Orthodox Jewish congregations, the American-Jewish Committee, the National Education Association, the American Federation of Teachers, and the Baptist Joint Committee on Public Affairs.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman at this point, but shall decline to yield thereafter until I have finished my statement.

Mr. GRIFFIN. I do not intend to go back to debate the adequacy of the hearings so much as to focus upon and try to clarify one point. The gentleman in the well, the distinguished chairman of the subcommittee, commended the President for this new bill, this new approach, which has never been in the Congress before. I agree with him. It is an entirely new bill, it is an entirely new approach and a new type of Federal aid to education. However, that statement is in contrast with the statement of the gentleman from Indiana [Mr. MADDEN], when he spoke under the rule, and indicated, in effect, that this is the same old bill that has been here before—similar to a bill that President Kennedy had sent up here. But this is not an old bill. It is an entirely new approach; it is a bill that we have never considered before, and obviously this should be taken into account in determining the adequacy of the hearings; will the gentleman agree with that?

Mr. PERKINS. I do not agree with that. Several years ago in the Committee on Education and Labor I myself offered amendments to impacted area bills to distribute funds on the basis of poverty. The distinguished gentleman from Arkansas, WILBUR MILLS, more than 2 years ago, discussed this approach with me on the floor of this Chamber, and he said to me, You are never going to get a Federal aid to education bill until it is tied to the impacted area bills and those areas of need throughout the country, and eliminate this general religious controversy and all of these extraneous arguments.

I say to the distinguished gentleman from Michigan that this approach has been thoroughly thought out, has been considered before in the Committee on Education and Labor when bills along this line were introduced by myself last year, by the gentleman from Pennsylvania [Mr. DENT] and by the senior Senator from Oregon, Senator MORSE. Hearings were conducted in this area. This idea has been well considered in previous years by the Education and Labor Committee. So we are not throwing out any new material today before the Congress. However, it is the first time that we have reported a bill of this type out of the Committee on Education and Labor.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from California.

Mr. BELL. The adult education provision in the Poverty Act provides for adult education for people who have less than a sixth-grade education and are economically deprived. Some people from my home State have asked me where I should introduce the amendment, whether it should be in this bill or the Poverty Act, for adults who have more than a sixth-grade education and perhaps want to gain at night some kind of education to qualify them as high school graduates. I know in California this is provided for in the present State law.

Mr. PERKINS. I think I understand the gentleman. I will answer him and then yield to my chairman. But first let me congratulate the gentleman from California, who contributed immensely to the preparation of this bill in subcommittee.

The gentleman from New York [Mr. GOODELL] and the gentleman from Ohio

[Mr. ASHBROOK] made significant contributions. I particularly want to compliment the gentleman from California because he supported this piece of legislation.

Now I will reply to the gentleman's question and then I will yield to the chairman.

In my judgment, your amendment belongs to the poverty bill. That is where your amendment belongs and there is much support for an amendment of that type. I can promise you here and now, I will support the amendment when the chairman holds the hearings on the Economic Opportunities Act.

Mr. POWELL. Mr. Chairman, will the gentleman from Kentucky yield?

Mr. PERKINS. I yield to my distinguished chairman.

Mr. POWELL. I can assure the distinguished gentleman from California that his amendment does belong to the Economic Opportunities Act. And as chairman of the full committee and also as chairman of the ad hoc Subcommittee on Poverty, I will be glad to accept that legislation when the hearings begin on that legislation.

Mr. JACOBS. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Indiana.

Mr. JACOBS. Mr. Chairman, with reference to the language of title I, line 23, on page 70 of the bill with reference to preschool programs; is it the opinion of the distinguished gentleman from Kentucky that this language would include the so-called nursery school programs or prekindergarten programs as well as kindergarten programs?

Mr. PERKINS. We specifically set forth in the bill authority to use grant funds for preschool programs. I think we set that out in one of the very first sections, section 201. But whether such programs would be used would be determined by the local public educational authorities. If they want to get all their youngsters in kindergarten and have nursery schools or in whatever way they prefer to do it, that determination will be made at the local level and the bill so provides.

Mr. JACOBS. Mr. Chairman, I wish to compliment the distinguished chairman of the full Committee on Education and Labor and the chairman of the general subcommittee on education for their dedicated and patriotic work in bringing this legislation to the floor of the House.

Mr. Chairman, I recall that Abraham Lincoln once said, "All that I am or ever hope to be, I owe to my Angel Mother." But what if, in a cultural sense, one's mother were not an angel? What would he be or ever hope to be?

These questions just now are beginning to be presented to the American people, and rightly so. They almost completely encompass the more obvious questions about crime and violence and overburdened welfare rolls.

As a young law student, I had become deeply concerned about the rise of violent crimes on our streets. I wanted to learn more about it. So as I studied, by day, the law which defines and punishes crime; I became a deputy sheriff and worked by night on the streets of our community to learn more about how human beings could bring themselves to do violence to others.

If I learned no other lesson from my 3 years as a deputy sheriff, I did learn this: at times, violence is a natural human temptation to anyone. And rather than bring one's self to violence, it is the function of self-control to bring one's self away from violence.

The persons I was obliged to arrest for crimes of violence, somehow, just did not have that self-control. Why?

Occasionally some of them were found to be mentally ill, but that was a minority of cases. Most of these violence doers were sane. Most of them were unemployed. Most of them were either grade school or high school dropouts. Most of them hardly knew how to read. And, indeed, most of them hardly knew how to hear and understand the English language.

And, indeed, too, most came from homes where the same catastrophies of ignorance plagued the parents and grandparents before them.

I have concluded that, if we really want to do more than just complain about crime; if we really want to prevent crime as well as punish criminals; if we really want to make our streets safe for decent living, rather than just close the cell door after violence is done to loved ones; if this is what we really want, we must redouble our efforts, toward ending the chain of ignorance of the culturally deprived children of today, before their embellished ranks descend with presently predictable violence upon the society of our children's generation—a society which could be a great one if we invest wisely in it now.

No one of us is born with the kind of kindness and respect for human dignity which the safety of civilization requires. For the first 2,000 days of our lives, we tend to become what we will be or can ever hope to be.

Opportunity in terms of later formal education or even remedial cultural training tends to be literally lost on deaf ears if the twiglike child cannot discriminate among the subtle sounds of his language, indeed his mother tongue.

If his mother's tongue and ear and eye cannot speak and hear and read the language, from whence will the child acquire the cultural skill to understand his language?

And if neither he nor his early adult associates can well comprehend the language, how shall he learn of the beauty of gentleness he will never have touched in the first 6 years of his life?

Psychologists tell us that if the child has not acquired proper audinomic skills by the time he enters the first grade, he will find it nearly impossible to acquire reading skills after he enters school. And he will be the school dropout, the unemployed, and as likely as not, the criminal of violence who will menace our children.

Well, there are places where something is being done to supply the culturally deprived children with the cultural skill they require to succeed in school. In a few places, educators have provided a nursery school program for children of 3, 4, and 5 years of age. The program is in three phases.

First, officials interview the culturally deprived parents, or rather "parent," since in most cases the father has deserted. And they remind the parent that she is unable to give her children the lessons in grammar and social grace which they need, but that, nevertheless, she can help by encouraging her little children to go a few hours a day to the nursery school. And by asking the children questions about the school when they come home, and even if the mother might not understand her children's answers, at least she would show an interest, and thereby encourage them to achieve.

The second phase of the program recognizes that the 6-year-old child of culturally deprived circumstances, by and large, has never ventured beyond the immediate area of his birth; that by the time he starts to school, he has hardly heard a thing but clanging ash cans, ambulances and monosyllabic vulgarity. He has no idea at all of the beauty and expanse of his society's horizons.

So they take the child on an outing to see the architectural accomplishments of his city—to hear a symphony—"music to soothe the breast," and a glance at the sunshine.

And the third phase, the nursery school itself. Highly trained teachers ready at every moment to repeat, "Don't say 'Ain't' or 'he don't' but 'he doesn't,'" and at the same time explaining why it is better—better for the child to reason out his conflicts with other children than to strike them.

Even the culturally deprived mother, lacking in cultural skills, in most cases, proves to be an angel mother once she is motivated to participate in breaking the chain of poverty and ignorance, between her generation and the next.

Studies of the effects of this program have revealed just what you would hope: the participants enter the first grade with sufficient momentum to keep pace with the children of cultural homes. And enough experience has taken place to have discovered that these children do acquire the reading skills necessary to avoid dropping out of school and into unemployment and delinquency—"taxpayers rather than taxeaters," gentlemen and ladies, rather than violent criminals.

But it is clear that they "have to be taught before it is too late, before they are 6 or 7 or 8."

Until we do this with these culturally deprived children, we will not solve the problem of poverty or the problem of crime in America.

This would not be an expenditure. It would be an investment, an investment to roll back a future ocean, of ignorance which threatens to surround children of today's cultured homes, an ocean of ignorance in which it might truly be folly to be wise.

The return from this investment to future generations would be as the oak to the acorn.

And as the philosopher said, "Civilization progresses because young men die

for their country and old men plant trees under which they will never sit."

In our quest for a solution to crime in the coming decade, let others speak of "impeaching honorable justices of high courts." Let others speak of taxing people according to the number of children they have. Let others speak of colder and harsher philosophy and the brute force to beat back the savage element among us.

But let us begin to speak of building decent citizens who won't commit crime in the first place.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman.

Mr. CAHILL. I would like, first of all, to say to the gentleman from Kentucky, I share his concern for the children of this Nation, particularly the ones he so eloquently described as being the needy, and particularly the dropouts. The thought occurred to me as the gentleman was making his excellent speech that these dropouts and the economically deprived children, however, are not limited to those who attend public schools. Knowing how well versed the gentleman is as to this particular piece of legislation, I wonder if he would describe for me, and I trust for the other Members, specifically how this legislation can aid the students who attend the private schools of this Nation.

Mr. PERKINS. If the gentleman will turn to the bill, he will find that the bill does not give any assistance to the private schools of this Nation. We do provide opportunities for educationally deprived children who are not enrolled in public schools to participate in broadened public, special educational programs.

Mr. CAHILL. I understand that. I do not mean that aid is given to the schools, but could the gentleman spell out for me the children that can be given this aid.

Mr. PERKINS. Yes, if the gentleman will turn to page 79 of the bill, under title I, we say there commencing on line 5:

(2) that, to the extent consistent with the number of educationally deprived children in the school district of the local educational agency who are enrolled in private elementary and secondary schools, such agency has made provision for including special educational services and arrangements (such as dual enrollment, educational radio and television, and mobile educational services and equipment) in which such children can participate;.

In other words, in the plan that the local school authorities submit to the State boards or State school officer for approval, it is one of the requirements that they detail whether or not there are any educationally deprived children attending the nonpublic schools, and to that extent, what arrangements have been made to take care of special services for that type of youngster.

There is one important qualifying point. If the gentleman will notice, commencing on line 14 of the same page is the language:

That the local educational agency has provided satisfactory assurance that the control of funds provided under this title, and title to property derived therefrom—

Regardless of what it might be—

shall be in a public agency for the uses and purposes provided in this title, and that a public agency will administer such funds and property.

Mr. CAHILL. Suppose the local school district or the board of education, for reasons best known to themselves, refused to give aid to the private schools on the basis of the number of children in the private schools who would qualify under this bill. Would the school district or the board of education then be completely deprived of any State or Federal aid under the bill?

Mr. PERKINS. Let me say to the distinguished gentleman that we do not undertake to say what any State does with its own funds. We do not undertake to go behind any State laws. As for Federal funds—they cannot be used for private schools but local educational agencies must make some provision for educating children who do not attend public schools.

Mr. CAHILL. I do not believe I made myself clear to the gentleman. Assume, if you will, that the State law permits it.

Mr. PERKINS. I understand the question. If the gentleman will read further, he will see that this plan is to be reviewed by the State educational authorities. Then we provide for judicial review.

Mr. CAHILL. I understand that.

Mr. PERKINS. The local educational agency cannot raise that question, but only the State authority can raise that, under judicial review.

Mr. CAHILL. Assuming, whatever the reason or whatever the final conclusion, that the children of private schools within the school district does not get from the local authority the aid to which it is entitled under this formula, my question is: would all aid for that school district be taken away from them because the children of private schools did not share in it on the basis of the formula in the bill?

Mr. PERKINS. Again let me repeat that there is no aid in this bill for private schools. If the services entitled to be received by disadvantaged private youngsters have not been taken care of, the State educational agency, of course, will send that plan back to the local educational agency.

Mr. CAHILL. So the gentleman concedes that one of the essential ingredients of this aid is that the children—not the schools, but the children—of private schools, if they qualify under the formula expressed in this bill, are entitled to the same aid as those who attend public schools, and the responsibility is on the Commissioner to see that that purpose is carried out.

Mr. PERKINS. I cannot agree with that statement. First, administration and approval of local school district plans and conformance rests with the State educational agency.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from New York.

Mr. CAREY. If I may, I will respond in part to the question, only because on this particular point the subcommittee and the full committee had extensive discussion. I believe my distinguished colleague from New Jersey is raising a specter that shall not rise in the operation of this bill.

We had testimony from State superintendents and from local educational officials, complete and comprehensive testimony that there seems to be no problem whatsoever in working out the broad instructional arrangements for the purpose to which the gentleman is currently addressing his remarks.

If the gentleman will look at page 6 in the report, there is a very extensive description—not by any means a complete description, but an extensive description—of the kinds of programs which can involve children in nonpublic schools.

We are convinced, from the testimony and from the preparation of the bill and from experts in the field that these local arrangements can be worked out advantageously and worked out with ease. They will not involve constitutional demarcations.

I believe that the arrangements on a local basis will be sufficient to meet the needs of the non-public-school children who are in the disadvantaged areas.

Mr. CAHILL. Mr. Chairman, will the gentleman yield in that I may address a question to the gentleman from New York [Mr. CAREY]?

Mr. PERKINS. Yes. I will yield to the gentleman.

Mr. CAHILL. I know the gentleman is extremely well versed in the subject I am expressing my interest in, and I would like to state the question specifically. As I read the bill and as I read the report, it is possible for a local board of education to use the funds to hire additional teachers in order that the number of students in the classroom may be reduced. My question is this: Supposing the local school districts determine they need additional teachers in order to reduce a very large classroom population and, therefore, to provide the youngsters with more personalized instruction. If they do this for the public schools, must they also do this for the private schools?

Mr. PERKINS. Let me answer that question. They cannot send a public school teacher into a private school. That is not the intent of the bill.

Mr. CAHILL. I understand that.

Mr. PERKINS. Let me get back to your original question. With regard to the public-school administrators in all these areas where we have this shared time principle, they all state they can work this out; it is feasible and can be worked out without difficulty. That is the opinion of the school administrators.

Mr. Chairman, I do not yield any further.

Mr. QUIE. Mr. Chairman, will the gentleman yield to me?

Mr. PERKINS. Yes. I yield to the gentleman from Minnesota.

Mr. QUIE. I think when the gentleman explains what is available to the private schools he should also read the

definition of "equipment." When he read "mobile educational services and equipment" in section 205(a)(2), he forgot to read the definition of equipment which appears on page 91. The equipment as defined here refers to the equipment specified available to the private schools. It reads:

The term "equipment" includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them, and includes all other items necessary for the functioning of a particular facility as a facility for the provision of educational services, including items such as instructional equipment and necessary furniture, printed, published, and audiovisual instructional materials, and books, periodicals, documents, and other related materials.

Everything except teachers.

Mr. PERKINS. If the gentleman will look at page 7 of the report, he will notice the report specifically states that we do not provide teachers for the private schools. We provide services. I am well acquainted with the definition of "equipment" but its use in 205(a)(2) is modified by the word "mobile". The gentleman is trying to read something into the bill that does not belong there.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield, please, for a simple question?

Mr. PERKINS. I yield to the gentleman.

Mr. FARBSTEIN. I am a little bit confused about shared time. Where is shared time to be spent?

Mr. PERKINS. It will be spent in the public schools.

Mr. FARBSTEIN. Thank you.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from New York briefly.

Mr. GOODELL. I think one point perhaps should be clarified here. I believe that the gentleman will agree that there are some 26 States that under the provisions of their constitution or law do not permit shared time. This is the minimal participation by private-school pupils in a public-school financed program. It is the first step in trying to help the private school pupils and there are between 24 and 26 of our States, depending on the criteria used, whose constitutions forbid them to make this kind of time available.

Mr. PERKINS. The gentleman is an able lawyer and he well knows you cannot do anything in this bill that you cannot do under the State law.

Mr. GOODELL. Exactly. And that means in 24 to 26 States you will not be able to give any aid to the private schools.

Mr. PERKINS. As I understand the gentleman from New York, his contention is there is no aid in here for the private schools and the 24 to 26 States to which he refers would not be prevented from participating in title I. Am I correct?

Mr. GOODELL. In the 24 to 26 States we are talking about now. On my own time I will go further into that aspect, but in those States the State law or the constitution forbids aid of a dual enrollment or shared-time nature to pupils from private schools.

Mr. KEE. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from West Virginia.

Mr. KEE. Mr. Chairman, is it not a fact that the uneducated child is a handicapped child just as surely as the unfortunate youngster who has a chronic bodily ailment?

Mr. PERKINS. That is correct.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Chairman, I would like to ask the gentleman two questions and to the first one either the gentleman in the well or the gentleman from New York may respond. I believe it has been said that no teacher could be hired by a public educational agency and placed in a private school; is that the gentleman's contention?

Mr. PERKINS. I will say to the gentlewoman that we have so stated in the report and the gentlewoman has that report before her.

Mrs. GREEN of Oregon. Mr. Chairman, may I continue? Is it not true that when we were having committee meetings I said to the committee, Would it be possible to hire a teacher by a local educational agency and place her in a private school? And there was nobody in the committee who denied that this would be possible. Did not the gentleman from New York then respond by saying, "Well, if we had a speech therapist teacher she would be available to go into the private school." I would like first an answer to that question; was not that the gentlemans' response?

Mr. CAREY. Mr. Chairman, I would be glad to respond. I think we are troubled here by difficulties with the inquiry of the gentleman from New Jersey directed at the provision of a teacher. A teacher would be one engaged in general instruction in the complete curriculum, who would go in and supplant a person now engaged in or employed in a private school. We do not contemplate that in this bill. When you talk of a speech therapist this is something different. You are dealing then with a specific need of the child. This specific need would, of course, be far divergent from any question of engagement in teaching religion or any other sectarian instruction. This would not be general teaching. We would send in specialists if they were needed in a given area for the benefit of disadvantaged children. There could be a number of children who would definitely need a therapist or teacher in that field. But a general instruction teacher is not provided in the bill. This is not a general instruction bill for the use of nonpublic schools.

Mrs. GREEN of Oregon. If it is possible to send in a speech therapist teacher, is there any language in the bill saying that a teacher cannot go into a private school or that none of those services can be provided in a private school?

Mr. GOODELL. Mr. Chairman, I yield to the gentleman from Ohio 15 minutes.

Mr. AYRES. Mr. Chairman, I yield to the gentleman from Indiana [Mr. ROUDEBUSH].

Mr. ROUDEBUSH. Mr. Chairman, I asked the gentleman to yield that I could comment on a telegram that was read into the record a few moments ago by the gentleman from Oklahoma [Mr. ALBERT]. This telegram was from Dr. Davis who is the Pastor of the National City Christian Church of Washington, D.C. I wanted to make this comment to clarify and perhaps clear up some misconception that may exist in Members' minds. I am a Member of the Disciples of Christ, or Christian Church. My family has been members of this religious faith for five generations. I do not make this statement to be critical of Dr. Davis for he is a very fine religious leader, but I would like to point out that no pastor, no individual, no society, no group may speak for the Disciples of Christ or the Christian Church. Each church is supreme in itself; it is an entity in itself. We have no system of bishops. We have no hierarchy in our church. To me, this is the strength of our church. And, I am sure that Dr. Davis means to point this out in his telegram. But I would like to make it perfectly clear that Dr. Davis, whom I respect very highly, speaks only for himself as pastor of one church in the city of Washington, D.C., and not for the Christian Church throughout America.

I thank the gentleman for yielding.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Minnesota.

Mr. QUIE. I believe it is important that proponents of this bill not try to mislead anyone. I do not believe that the majority have given all of the information. I believe some of it is misleading information.

Mr. Chairman, we have a serious question before us, a question of church and state. This bill will provide more Federal assistance to the children of private schools than ever before.

Now, the hearings show that the bill was drawn in a constitutional way according to a majority of the people who testified, and I shall grant that.

However, I believe it is important that we tell the American people as well as our colleagues so that they may know what this bill will provide for private as well as public schoolchildren.

Mr. Chairman, the gentleman from Kentucky said that on page 7 of the report it specified that there shall not be any payment of funds for teachers in private schools. This is not what it says at all. It says that the bill does not authorize funds for the payment of private schoolteachers. However, I see nothing in the bill or the report which would prevent a public school from financing the salary of a public schoolteacher to teach in a private school.

Mr. Chairman, the gentleman from New York [Mr. CAREY] indicated that a publicly financed teacher could not supplant a teacher who is already in a private school. But one can see the case of a private school, teaching education-

ally deprived children, one of the things that they might need is to divide classes because there are too many in each class and remedial reading would be a very important feature.

In addition to that under this bill, the type of education for the public school children must be provided for the private school children as well.

Mr. Chairman, I believe we ought to let people know that this is the case so all might know what is available to them rather than glossing over extremely controversial features.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. AYRES. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. I agree with my colleague, the gentleman from Minnesota [Mr. QUIE]. It does not seem to me that there has been a full explanation of just what this bill does.

Let me read from a letter which I am sure was placed at the desk of every Member this morning from the AFL-CIO. It says:

> For too many years, the church-state issue has made it impossible to obtain such legislation. We are extremely pleased therefore to see that the bill now coming before the House is being supported by important organizations representing all major religious denominations. It is our conviction, along with these organizations, that the bill raises no constitutional problems.

In the Rules Committee yesterday one of the gentlemen, a member of the Rules Committee, mentioned the organizations which endorsed this particular bill, and he included the National Council of Churches.

The National Council of Churches advises me that they have not endorsed this particular bill, though they support the general provisions in a Federal education bill and ask for a change in the judicial review section to include local educational agencies.

There has been an attempt made to give the impression that there is a consensus among all major church groups and that they all support this legislation.

The gentleman on the other side has referred to the Disciples Church of which George Davis, of National City Christian Church, is the minister.

May I read a letter which I received today from the headquarters of the Disciples Church at Indianapolis, signed by the executive secretary of the international convention, the president of the United Christian Missionary Society, the executive secretary of the department of Christian action and community service, and the executive secretary of the department of Christian education? It reads as follows:

> The education bill as presently written raises many questions for which adequate answers have not yet been given.
>
> The proposal for distribution of funds does not seem to take adequate account of certain States and areas with greater needs.
>
> The bill also introduces such concepts as "shared services"—which are very unclear. Under "shared services" can a teacher on the public payroll teach in a private school? What is included and what is excluded by stating that such teachers must be "temporary"?
>
> Since the local public agency which administers the funds must clear with local private school administrators, does this give a kind of veto power to private school administrators?
>
> Will this tend to produce serious and unfortunate interfaith disputes at local and State levels?
>
> Because of the unknown implications of several sections of H.R. 2362, we urge that an adequate judicial review section be added to the bill. Such a provision for judicial review would enable responsible evaluation of the results of this legislation. We urge that the Congress take sufficient time to consider carefully the need for this and possibly other clarifying amendments.
>
> Sincerely,
>
> DR. A. DALE FIERS,
> *Executive Secretary, International Convention.*
>
> VIRGIL A. SLY,
> *President, United Christian Missionary Society.*
>
> GEORGE O. TAYLOR,
> *Executive Secretary, Department of Christian Education.*
>
> BARTON HUNTER,
> *Executive Secretary, Department of Christian Action and Community Service.*

May I say other major denominations do not support this legislation as drafted. They have asked for a judicial review.

I would like to make one additional point: It has been said that on page 79 of the bill adequate provision is made because the local educational agency must retain title to the property and to the funds. May I submit to the House, I can retain title to my home but I can lease it for a dollar a year or I can allow anybody to use that house without payment of a single dime. May I point out I can control funds, too, but I can spend them for private or public services. And so can an educational agency as this legislation is written.

May I point to the letter that was sent from the leadership, and I find myself in a most regrettable position to oppose my leadership on this bill. But in the letter which came from the leadership today paragraph 3 reads:

> Federal assistance would be provided to over 90 percent of the Nation's school districts, which enroll 5 million children from low-income families. In these areas, the school district would design special educational services and arrangements, including those in which all children in need of such services could participate. These special programs include dual enrollment (shared services) arrangements, educational radio and television, mobile educational services and equipment, remedial education, preschool or afterschool programs, additional instructional personnel, equipment and facilities, and others judged necessary for improving the education of disadvantaged children.

In this letter these services are not limited to children in public schools. No such limitation can be found in the letter. And I ask anyone in the House to find any place in the specific legislation where it says these services are only for public schools. I have read the large print and the fine print, and I have read the report, and there is no place in this bill that says these programs, projects, and services can only be provided in public schools.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from New Jersey.

Mr. CAHILL. At that point, if I may say to the gentlewoman from Oregon, it has been my understanding throughout the entire testimony and deliberations of the committee, that the purpose of this bill is to provide aid for private schoolchildren the same as for public schoolchildren. I have read the report, and I have read the bill. I agree with the gentlewoman from Oregon that there is nothing in this bill to permit funds to be used for private schools, and if I vote for this bill I am only going to vote for it on the assurance it does. I want to know if the Board of Education in my town provides a speech therapist for public school children, can they provide one for private school children? Another thing, if there are classes for talented elementary children in the public schools, can they not provide for similar classes in private schools?

Let me say to the gentleman, as I understand the purpose of this bill, it is to take care of the economically deprived child, the educationally deprived child; to take care of the dropouts. These are not peculiar to public schools. I will say that one sentence in this respect is the thing that prompted my question to the gentleman from Kentucky, and that is: "this bill does not authorize funds for the payment of private school teachers," but on page 6 of the report, it says "The program will be acceptable, if it provides additional teaching personnel to reduce classes in public schools."

It seems to me to reduce a class from 30 to 25 in a public school, and to have in the same community a private school with 70, is rather incongruous. You say you are not going to provide additional teachers for the private school for the purpose of this legislation and yet that you are sincere in saying that you want to take care of the educationally deprived child. I want to make this legislative history crystal clear so that if the bill passes the children of the private schools of this Nation will have an equal right to every facility that comes from the use of Federal funds.

I want to make sure that the school districts of our Nation understand it. I should like to ask the gentleman from New York whether or not physical education instruction would be available for private schools?

Mr. CAREY. Talking in terms of physical education instructors, let us say that the local educational agency, the board of education in this case, was to determine that a positive potential good use of the funds involved here would be to extend the program of physical fitness to all disadvantaged children. To me that would take into consideration the number of disadvantaged children who are in the nonpublic schools. That would provide a sufficient number of physical education instructors to cover that number of children. The fitness, the well-being, the welfare of the child, I am sure, and the fitness of the arrangement, I am sure, would govern. If there were a good-sized play yard in the vicinity that could be used, they could probably work out an arrangement to

use that, but there would be no benefit, monetary or other, to private institutions. In fact, the private institution would have to commit itself in each area to do something. The individual would benefit, but not the institution.

Mr. CAHILL. I understand that, but does the gentleman mean that if the private school does not have a physical education instructor——

Mr. CAREY. For disadvantaged children.

Mr. CAHILL. Does the gentleman mean that this public school could then send a qualified instructor to the private school?

Mr. CAREY. To the children.

Mr. CAHILL. To facilities in a private school, say it was a rural school, that they could send an instructor on the public school payroll to the playyard to give deprived children that instruction?

Mr. CAREY. Yes, but the gentleman is reaching the point of educational policy at the local level. We cannot in this bill, and I hope the day will never come when the Congress will attempt to say educational policy is not for local educational agencies. We cannot mandate whether teachers are going to go or stay. We cannot translate academic freedom here or at a higher level. We must leave that with the local government, and this is what this bill attempts.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GOODELL. Mr. Chairman, I yield 10 additional minutes to the gentleman from Ohio.

Mr. CAHILL. I wonder if the chairman of the subcommittee, the gentleman from Kentucky, who is the authority and who can really give us the legislative history, can say that where a private school has children who can qualify under this bill, and where they require specialized help, such as physical instructors or music teachers or speech therapists, or people of that qualification, and they do not have them, whether the gentleman would agree that the board of education can provide that type of assistance to private school children?

Mr. PERKINS. We do not undertake to interfere with the program of the local school agency. Broadened public school programs in which educationally deprived students from nonpublic schools could participate would vary from district to district within those types of special services circumscribed by section 205(a)(2).

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from New York.

Mr. GOODELL. I want the chairman of the subcommittee to answer this question propounded by the gentleman from New Jersey because there are an awful lot of people in this country who may feel they are going to get a kind of aid that they are not going to be able to get. We have to establish the legislative history here. It is a simple question. It is Federal money that is going to be used and the question is whether this money can be used in the manner described by the gentleman from New Jersey provided that the State and local governments do not, and the State and local laws do not permit it?

Mr. PERKINS. There may be instances where that would take place, but I would say it would be very rare. Keep in mind that the conduct and operation of these programs are up to the local public school agency. It is the intent here not to put teachers in private schools although they may, as the gentleman from New York [Mr. CAREY] mentioned, be for such special services as guidance and counseling.

Mr. GOODELL. Where is the dividing line? I would like the answer from the chairman of the subcommittee.

Mr. PERKINS. The legislation provides that:

(2) that, to the extent consistent with the number of educationally deprived children in the school district of the local educational agency who are enrolled in private elementary and secondary schools, such agency has made provision for including special educational services and arrangements (such as dual enrollment, educational radio and television, and mobile educational services and equipment) in which such children can participate.

Mr. GOODELL. In other words, Mr. Chairman, Federal money can be used under title I to pay a public school music teacher or a physical therapist, which is what the gentleman from New Jersey is discussing, to teach in private schools?

Mr. PERKINS. Not at all. The publicly sponsored programs in which nonpublic school children can participate are limited to special programs of the type described in the section I have quoted.

Mr. GOODELL. The gentleman just contradicted completely what he answered 10 seconds ago.

Mr. SISK. Mr. Chairman, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from California.

Mr. SISK. I appreciate the gentleman from Ohio yielding because I think the gentleman from New Jersey brought up a very vital and important question. I think we are going to have to have a yes or no answer from my good friend on this side on this issue because we are getting to the very guts of the problem. I, for one, if the answer is in the affirmative to the gentleman's question will, of course, vote against this bill as I am sure many of my colleagues will. So we must have a very clear and decisive answer here.

Mr. POWELL. Mr. Chairman, will the gentleman yield so that I may answer this question?

Mr. AYRES. I yield to the gentleman from New York.

Mr. POWELL. The gentleman from New Jersey asked the question: Where is the dividing line?

Mr. CAHILL. No, no; that is not the question. The question is, if I may say to the distinguished chairman, and may I state first I am in the converse position of the gentleman from California. He says if the answer of the distinguished gentleman from Kentucky is "Yes," he is going to vote against the bill. I want to say that if the answer is "No," I am going to vote against the bill.

I want to ask the gentleman this. I want to get the legislative history clear so that everybody in this House, regardless of how they are going to vote, will know what they are voting for. Therefore, I merely want to know, Mr. Chairman, specifically how the private-school children, the children attending the private schools of this Nation who are economically and educationally deprived, are going to benefit and if they do not benefit equally with the public-school children then is the local agency that has control of the expenditures of these moneys deprived of all moneys?

In other words, if they do not equalize the benefits of this bill to both the children of the public schools and of the private schools, will they be barred from getting money?

Mr. AYRES. I yield to the chairman of the committee.

Mr. POWELL. The answer to this is that the solution varies according to each area. We do not intend, in this Congress, to write the laws for local educational agencies or the States. It is up to the county and the State. It is up to the local board.

Mr. CAHILL. This is my point. Let us assume there is a board of education in a State which refuses to give aid to the children of the private schools because of the conviction of the individual members of the board of education that they should not do so. My question is: If they do not do it, will they be deprived of all benefits under this bill, so that no children in that area will get aid?

Mr. POWELL. Under the way it is written now.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from New York, a member of the subcommittee.

Mr. GOODELL. I should like to have the gentleman from New York [Mr. POWELL] answer the question which the gentleman from Kentucky [Mr. PERKINS] did not answer. I believe the gentlemen from Kentucky answered "no" and then answered "yes." I should like to have the question answered.

Does this bill permit, in an area where the local and State law and constitution permits, a public school teacher in music or remedial reading or special therapy to teach in a private school? That can be answered "yes" or "no."

Mr. PERKINS. Mr. Chairman, will the gentleman yield to me?

Mr. GOODELL. I yield to the gentleman from New York [Mr. POWELL] for an answer "yes" or "no." I believe it can be answered "yes" or "no."

The gentleman from New York [Mr. CAREY], has answered "yes." As a matter of legislative history, I want to know whether that is the opinion of the chairman of the full committee and the chairman of the subcommittee. If that is the legislative history clearly, then we will know what this will do.

Mr. CAREY. If I may be permitted, I will answer.

Mr. GOODELL. I asked for an answer from the chairman of the subcommittee or the full committee. We ought to get the legislation clear.

Mr. CAREY. The gentleman phrased his question in terms I did not use and

is asking for an answer to a question in terms I did not set forth.

Mr. GOODELL. I would like to have an answer to the question.

Mr. CAREY. Let the RECORD show it is the gentleman's question and not my question.

Mr. PERKINS. Mr. Chairman, I will be delighted to try to answer the gentleman's question. We make provision for the educationally deprived non-public-school children.

Mr. GOODELL. This question can be answered "yes" or "no." As a matter of legislative history it should be.

Mr. PERKINS. I believe the report is quite clear and the law is clear. We do not intend to put teachers in private schools, no.

Mr. GOODELL. Is the answer "No"?

Mr. PERKINS. The answer is "No."

Mr. GOODELL. I ask the gentleman from New York [Mr. CAREY] whether he agrees the answer is "No."

Mr. CAREY. Let me point out that there is not a "yes" or "no" answer to this question, unless the gentleman phrases the question in a different manner. That is the hook in the question. That is the defect.

Mr. GOODELL. There is no "hook" in the question.

Mr. CAREY. There is.

The gentleman used the term "teaching in a private school." The private school is a juridical person. The private school is an entity. We do not plan to put teachers in the private schools, but we do intend to put teachers where the children who need the instruction are. That might be in a YMCA or in a local museum. That is a private institution, by the way.

Mr. GOODELL. Does the gentleman say that the private-school children are not in the private school?

Mr. CAREY. They might be in a building.

Mr. GOODELL. Can the teachers teach in the private school?

Mr. CAREY. They might be in the building where the private school gives instruction.

Mr. GOODELL. Can we provide, under this bill, a public-school teacher in a private school? That is what I want to know.

Mr. CAREY. Will the gentleman tell me how we can reach the children in the private school as students who need instruction if we do not teach them somewhere?

Mr. GOODELL. The gentleman's answer is "Yes." The gentleman from Kentucky gave the answer of "No." Where are we?

Mr. CAREY. The gentleman raised the question along the lines that are legally dynamite, and he knows it. He indicated we would have children in the private school receiving private-school instruction, and it would not be private-school instruction, but it would be public instruction to the children who happened to attend nonpublic school. If that were convenient, according to the judgment of the board of education, as to putting the children and the teachers there, that would be their judgment.

Mr. AYRES. Mr. Chairman, I yield to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. The question was very simple: Where the local law, the State law and constitution will permit, can a public-school teacher of music, of physical therapy, or of some others subjects—and I would like to know where your boundary is in subjects—teach private-school pupils in a private school? Now, the gentleman from Kentucky [Mr. PERKINS] has said "No." The gentleman from New York [Mr. CAREY] has said "Yes." I would like to have this a clear legislative history. There are a good many people who believe in the private schools and private school pupils getting equal treatment, who think the answer is "yes." And, if the answer is "no," we should have it clear right here. I yield to the gentleman from Kentucky for the answer.

The CHAIRMAN. The gentleman from Ohio has the floor.

Mr. AYRES. Mr. Chairman, I yield to the gentleman from Kentucky for an answer.

Mr. PERKINS. Let me say to my good friend from New York that throughout the years there have been people who have endeavored to get a religious controversy started. I think the bill is perfectly clear. I cannot visualize a situation anywhere that a local board of education would undertake to put a public-school teacher in a private school for general purposes.

Mr. GOODELL. If the gentleman will yield, I am sure the gentleman from New York [Mr. CAREY] and this gentleman from New York can visualize it.

Mr. PERKINS. There can be some special services—shared time, maybe a guidance and counseling teacher—that would go from the public schools into private schools if the local law did not prohibit.

Mr. AYRES. Mr. Chairman, I think we should get the Middle West into this. I yield to the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Chairman, I thank the gentleman from Ohio for yielding.

I think that the gentleman from New York is looking for answers that cannot be found in this bill because they are not in this bill. You are raising all kinds of questions about the private schools. This bill outlines very specifically and categorically what the private schools can and cannot do with the money they get from the Federal Government. As regards the question the gentleman raised on the private schools——

Mr. GOODELL. I did not know the private schools were going to get any money from the Federal Government.

Mr. PUCINSKI. That is exactly it. This bill clearly spells out private schools cannot get any direct assistance, and the report further spells out on page 7, if my colleague will read it:

> No provision of the bill authorizes any grant for providing any service to a private institution, but at the same time the bill does contemplate some broadening of public educational programs and services in which elementary and secondary school pupils who are not enrolled in public schools may participate. The extent of the broadened services will reflect the extent that there are educationally disadvantaged pupils who do not attend public school.
>
> The bill does not authorize funds for the payment of private school teachers. Nor does it authorize the purchase of materials or equipment or the construction of facilities for private schools.

What this bill says is a child attending a private school needing additional instruction may get that instruction in a public school institution and for the gentleman to suggest that there is anything in this bill that is going to pour Federal funds directly into a private school is to muddy the waters.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from New York.

Mr. GOODELL. The gentleman from Illinois completely fuzzed over the issue.

Mr. PUCINSKI. Just read this language.

Mr. GOODELL. I would like to ask again of the gentleman from Kentucky or the gentleman from New York—and I am sure the gentleman from New York is disagreeing with you on the effects of this—this question: If the public school officials with Federal money wish to put a public school teacher in a private school to teach any subject, I would like to have a clear legislative history as to whether it is permitted in this bill.

Mr. CAREY. If the gentleman phrases his question "any subject," the answer would be "No," because that would include all subjects.

Mr. GOODELL. What subjects then would be permitted?

Mr. CAREY. "Special" is the key word. The gentleman knows that the word "special" is in the bill. These are special instructional services. Those that are special are not general. We do avoid the whole question. We do not intend to go into the question what would be general instruction because we do not find it in this bill. What is special would be determined by pedagogy.

Mr. GOODELL. What is the answer to the question of special educational services? What instruction would that be? Would that include the services of a music teacher?

Mr. CAREY. I would say a music teacher, yes, where that would be a definite need, but that would be provided for in the local educational agency.

Mr. GOODELL. Does it include a speech therapist?

Mr. CAREY. I should think so, but I am not making the judgment for the local public educational agencies.

Mr. GOODELL. Would it include a teacher of remedial reading?

Mr. CAREY. I should think remedial reading would be a subject that would be included.

Mr. GOODELL. So the gentleman from New York is of the opinion that public school teachers may teach on private school premises; is that right?

Mr. CAREY. I must answer the question with a question. Who else would provide the service if he did not?

Mr. GOODELL. Then the gentleman's answer is yes. I would like to ask the gentleman from Kentucky if that is

his answer, just as a matter of getting the legislative history.

Mr. PERKINS. The gentleman has answered the question very clearly.

Mr. GOODELL. Then the answer is yes?

Mr. PERKINS. My answer is no as to providing any teaching services to a private institution. The key here is the extension of special educational services to deprived children under public auspices and arranged for supervised and controlled by public authority.

Mr. GOODELL. All right, then we have a nice, clear legislative history to proceed with. Nobody knows what this bill is going to do.

Mr. PERKINS. There are special services as to which I would say "yes," but generally "no." These are discussed on pages 7 and 8 of the report as follows:

No provision of the bill authorizes grant for providing any service to a private institution, but at the same time the bill does contemplate some broadening of public educational programs and services in which elementary and secondary school pupils who are not enrolled in public schools may participate. The extent of the broadened services will reflect the extent that there are educationally disadvantaged pupils who do not attend public school.

The bill does not authorize funds for the payment of private school teachers. Nor does it authorize the purchase of materials or equipment or the construction of facilities for private schools. However, consistent with the number of educationally deprived children in the school district who are enrolled in nonpublic elementary and secondary schools, the local educational agency will make provision, under the terms of the bill, for including special educational services and arrangements such as dual enrollment, educational radio and television, educational media centers, and mobile educational services and equipment in which such children can participate.

Thus, the bill does anticipate broadened instructional offerings under publicly sponsored auspices which will be available to elementary and secondary school students who are not enrolled in public schools.

In this regard the committee has adopted language in the bill to assure that the local educational agency will maintain administrative supervision and control of the programs provided under the title and that the title to any property constructed or purchased shall be in a public agency and that a public agency will administer the funds and property for the purposes of the title. Several opportunities are afforded local public educational agencies to meet the special educational needs of elementary and secondary school pupils regardless of whether they are enrolled in public schools through supplementary educational services authorized by title I such as broadened health services, school breakfasts for poor children, and guidance and counseling services. In addition, testimony received by the committee indicated the effectiveness in some areas of providing mobile art collections which could serve a community of schools on a rotating basis and the broadening of mobile-type public library services.

The CHAIRMAN. The gentleman from Ohio [Mr. AYRES] has the floor, and if he will permit the Chair to make this observation, it is impossible for one reporter to take down the comments from two gentlemen who are talking at the same time.

Mr. GOODELL. Mr. Chairman, may I ask the Chair how much time is remaining of the time yielded to the gentleman from Ohio [Mr. AYRES]?

The CHAIRMAN. The gentleman has 2½ minutes remaining.

Mr. GOODELL. Mr. Chairman, does the gentleman from Ohio desire more time?

Mr. AYRES. Mr. Chairman, I remember when I first came here Speaker JOE MARTIN said to me, "You are never defeated on what you do not say."

Mr. Chairman, the United States has the highest standard of living ever known to man. This has been brought about by the initiative of the industrial engineer in the creation of ever-improving production facilities and the American workmen's unique ability of achieving the utmost from these facilities.

As the ability of the machine improves, so must that of the man. The sophistication of the machine creates a demand for a workman with a better educational background.

The opportunities for the man with "a strong back and a weak mind" have shrunk. Incidentally, I would change that old phrase to read "a man with a strong back and an untrained mind."

As a result of these technological advances, there are a great many of our citizens who cannot share in the bountiful life. Thus we have poverty amidst plenty.

The U.S. Congress has always shown great concern for our less fortunate citizens. This has been particularly true of the Education and Labor Committee. Our work in the last session of the Congress might well be called "education for labor." Through more student loans, greater university and college facilities, and a greater emphasis on vocational training, we created greater opportunities for many of our young citizens.

To further aid the impoverished, the 88th Congress passed the so-called antipoverty bill. We passed this measure though we doubted its efficiency. We would not err against the needs of the poor. I am not questioning this new legislation except to say that I believe that we should make certain that some of these funds actually sift down to the needy. It must seem to many of us that this agency has a very long, bureaucratic filter through which the funds are channeled.

It is with deep regret that I must report that our training and retraining programs have achieved no great successes. Dropouts in these programs are a major problem. Experts tell us that the principal reason for this is our failure in instilling proper learning habits in the child at an early age.

"Education for Labor," is highly important today—tomorrow it will be a necessity. The picture is indeed dark for the youth of the next generation who will be lacking in its benefits.

Equality of education for all children most certainly should be the great goal of any democracy. Only by doing this can we open the door of opportunity to all.

This, then, should be our principle legislative aim—to provide a bill that will do everything possible to aid and encourage the young children, who, otherwise might enter the ranks of the educationally deprived.

At the outset, we were told that this was the objective of the legislation that is before us today. If this had been true and if the bill had been efficiently drawn, I certainly would give it my support. Partisanship does not influence my evaluation of this bill.

I need not remind the veteran Members of this House that the late Senator Robert A. Taft was the author of a Federal-aid to education bill. As you recall, that measure had the full support of President Truman.

I do note that President Johnson, in his initial support of the bill that is before us today used an excerpt from the late Senator Taft's speech on that subject. He did this as an argument for the bill.

I wish that he had used Senator Taft's speech in its entirety. I do repeat that section of the speech as quoted in the Presidential message. Said Senator Taft:

Education is primarily a State function, but in the field of education, as in the fields of health, relief and medical care, the Federal Government has a secondary obligation to see that there is a basic floor under those essential services for all adults and children in the United States.

Senator Taft's sole Federal concern was for those educationally deprived children who required a basic floor of education that would give them the opportunity for a better life. In this category, and this category alone, did he feel that the Federal Government had a role.

Everyone who has read this most lengthy bill and attempted to digest its most intricate passages must agree that it was prepared by masters of fine print. Under the guise of helping the educationally deprived child, they have incorporated in this bill all of the ill-conceived legislation that Congress has turned down in past sessions.

It is true that much of the language is different but the objective of Federal control is insidiously injected. I deplore the use of such a worthy objective as a cloak for their attempt to create the first step for bureaucratic Federal control of the education of our children.

They know full well that had they made this attempt in a separate bill that the American parent would have risen in great anger.

There are those who in arguing for this bill would have us believe that our State and local educational administrators have failed in their duties. They use the draft rejection figures as a basis for their contention.

I wish to defend the great, dedicated school administrators, members of local school boards, and teachers who constitute our present school system. This school system has produced men and women that have brought the United States to an educational peak unequaled in history.

I would particularly pay tribute to our current school administrators. They have made tremendous strides with the funds available to them.

There are, however, areas in the United States who do not have the funds to

carry out a truly comprehensive program. These we would help so that we might indeed have true equality of opportunity through education.

I would ask whether we are striving toward equality of education when we give the 10 richest counties in the United States practically twice the funds than we distribute to the 10 poorest counties? This for the same number of children.

The formula contained in this bill is indefensible. Newspaper editorials have stated that this measure should be called "school aid where least needed."

This is not the first bill to come before our committee that was so drawn that it would not achieve its avowed objectives. Hitherto, we have worked diligently in executive session until we have been able to present a complete, workable bill that would accomplish its purpose.

The minority members of the committee made such an attempt with this bill. Our amendments would have concentrated the funds where the need was the greatest. It would have pointed every title of the bill toward programs for economically and educationally deprived children. They also would have required State approval of Federal-local schools or at the very least see that they conformed to State law. All of our efforts to make this a good bill came to nothing.

The "bureaucratic camel" is attempting to get his head into the tent door through a new and clever method in this bill. A section of the bill would give the U.S. Commissioner of Education $100 million to establish so-called "Federal-local model schools." This he could do without State approval. Can anyone doubt that if this "camel head" is allowed to become law that the whole bureaucratic camel will soon be occupying the whole tent and our present local school administrators will be out in the cold.

We are today seeing the failures of recently enacted laws. These laws were steamrollered through Congress with great speed. Their objectives were worthy. We could have made good bills out of them if we had been given the opportunity. I know that their authors can take little pride in them now.

President Johnson, in his last press interview, stated that his new voting bill was open for such amendments that the Judiciary Committee saw fit to make. Certainly this departure in policy by the Chief Executive should pertain to any legislation affecting the schoolchildren of our Nation.

If the President is to be commended for this recognition of the duties and functions of congressional committees, most certainly he cannot object to our action in making the necessary improvements in the bill that is now before us.

Representatives CURTIS, GOODELL, and myself have prepared a bill, now submitted to committee, that would give real priority to the highest concentration of economically and educationally deprived children of an early age. This measure would distribute the money directly to the States to be used in the areas possessing the greatest need.

The remaining titles of the bill provide tax credits and payments to individuals to help meet the rising cost of education.

Since you have had the opportunity of studying this bill, I feel certain that you will agree that it would definitely raise the educational level of those whom we must help. Let me assure you that our bill is not of a partisan nature; the best legislative ideas of both Republicans and Democrats has gone into its making.

Here is a true antipoverty effort—a poverty preventative for the next generation.

Mr. Chairman, as you shall hear in detail from other members of our committee, the bill that is before us today not only fails completely in remedying our greatest educational problem, but actually contains the first step of Washington bureaucratic dictatorship in the field of education.

This is an important legislative day. Under consideration is a bill affecting all of the children of our Nation, and thus truly affecting the entire future of the United States.

We must make certain that this bill receives deliberate and just evaluation. This can only be done if we are to consider all of the alternatives. I plead with you to give us the opportunity to give this bill that deliberation that the future of our children deserves.

Mr. POWELL. Mr. Chairman, I yield 15 minutes to the distinguished member of the subcommittee, the gentleman from Indiana [Mr. BRADEMAS].

Mr. BRADEMAS. Mr. Chairman, I am the Methodist nephew of a hard-shell Baptist preacher. My mother belongs to the Disciples of Christ Church. My father is Greek Orthodox, and before coming to the Congress of the United States I taught at a Roman Catholic college. If I can find myself a Jewish bride I would represent the finest example of the ecumenical movement in the 20th century.

Mr. Chairman, I rise in support of the bill H.R. 2362. At the outset of my remarks I would like to pay tribute to the distinguished chairman of our Subcommittee on General Education, the gentleman from Kentucky [Mr. PERKINS] who has labored long and diligently to bring to the floor of this House a bill which will help strengthen the resources of American education at the elementary and secondary school levels. He is deserving of high praise for his persistence and for his dedication.

I want also to pay tribute to members of the General Education Subcommittee on both sides of the aisle for their contributions to this measure. I am pleased to see that my friend from New York [Mr. GOODELL] is here, because I want to venture out onto a very precarious minefield at this point and try to bring some clarity to the very pertinent discussion we have just had.

I would like to propound an inquiry to the gentleman from Kentucky [Mr. PERKINS], and to the gentleman from New York [Mr. CAREY], in order to see if they both agree with my understanding of the answer to the question which the gentleman from New York [Mr. GOODELL] has put.

I refer to his question with respect to title I, which, I reiterate, has to do with the provision of special educational services to school districts where there are high concentrations of educationally deprived children.

Is it not true that in such school districts—and by "school districts" we here mean public school districts, and we here mean that Federal grants may go only to public school districts—is it not true that if a public school district should determine that it wishes to provide, in accordance with the provision in section 205(a)(2):

> That, to the extent consistent with the number of educationally deprived children in the school district of the local educational agency who are enrolled in private elementary and secondary schools, such agency has made provision for including special educational services and arrangements * * * in which such children can participate * * *.

I reiterate, Mr. Chairman, in this specific situation and with respect to this specific section, is it not true that if the local public school agency should determine that a public school teacher, in order to provide "special" as distinguished from "general" services, goes to a private school for the provision of such, I repeat, special, as distinguished from general services—the distinction to be determined by the local public agency—and not by the Commissioner of Education or somebody out here in Washington, D.C., that such a teacher can do so?

Mr. PERKINS. It is appropriate as to special, yes, like a guidance counselor, but "no" as to general.

Mr. BRADEMAS. I ask the gentleman from New York if he agrees with this interpretation?

Mr. CAREY. Amen.

Mr. CAHILL. Mr. Chairman, will the gentleman yield to me for just one question?

Mr. BRADEMAS. Yes, I would be pleased to yield to the gentleman from New Jersey.

Mr. CAHILL. I would say I would agree with the interpretation both of the gentleman in the well and the gentlemen from Kentucky and New York. But that is not the question. My question is this: Suppose the public school district does not—does not—determine that the pupil in a private school qualifies, even though the child comes from a family such as described in this bill, my question is this: Are all of the funds under this bill then taken away from that school district? That is the question.

Mr. BRADEMAS. I think I understand the gentleman's question. I refer the gentleman to page 78 of the bill, section 205(a), and I read to him as follows:

> A local educational agency may receive a basic grant or a special incentive grant under this title for any fiscal year only upon application therefor approved by the appropriate State educational agency, upon its determination—

And then there are listed a number of determinations which under the language of the bill must be followed; otherwise the State educational agency, under the language of the bill, ought not

to approve the application of the local public school district. Nor, in turn, if the application goes from a State public educational agency to the Office of Education, ought the Commissioner, under the language of the bill, to approve an application from a local public school agency which omits any of the determinations set forth in the bill, one of which determinations is—and I refer the gentleman to page 79, section 205(2):

That, to the extent consistent with the number of educationally deprived children in the school district of the local educational agency who are enrolled in private elementary and secondary schools, such agency has made provision for including special educational services and arrangements * * * in which such children can participate.

So it would seem to me that if a local public school agency denies or fails to provide, "to the extent consistent with the number of educationally deprived children in private elementary and secondary schools"—if, I repeat, the local public school agency fails to include provision for and include special educational services and arrangements for such children, the application would not be approved. Does that answer the question?

Mr. CAHILL. Yes; it does. I would assume what the gentleman is saying is if children in a private school qualify under this legislation, regardless of the purposes or the desire of the local board, if they are not included then, in the gentleman's opinion, the Commissioner should not approve the program, and they would not get any Federal funds?

Mr. BRADEMAS. I think we are in agreement on this interpretation, but I want to add a point, and that is that we carry these matters to extremes.

Mr. CAHILL. That is not my desire. I think the gentleman has answered the question satisfactorily. I would like to ask the chairman of the subcommittee, the gentleman from Kentucky [Mr. PERKIN] if he agrees with the opinion of the gentleman from Indiana?

Mr. PERKINS. I agree with the statement made by the gentleman from Indiana [Mr. BRADEMAS].

Mr. BRADEMAS. Mr. Chairman, it seems to me there are three particularly significant features of H.R. 2362, three features that stand out, as we consider this historic piece of legislation.

In the first place, this bill is a solidly based effort to provide educational opportunities to millions of American young people who come from poor families, who are poor children; to be specific, 5 million American children who are between the ages of 5 and 17, and who come from families with an annual income of $2,000 a year or less.

This bill is designed in title I to provide special educational programs and special facilities to help these educationally deprived children.

Secondly, this bill represents a thoughtful and balanced effort to provide certain forms of assistance for both public and nonpublic schoolchildren who can qualify without doing violence to our traditional constitutional doctrine of separation of church and state. I think it is instructive, Mr. Chairman, that this bill has enlisted remarkably widespread support in this respect, support to which reference has been made in our discussion this afternoon. I hope that at some stage of the discussion I will have an opportunity to read some of the statements, if it becomes appropriate, of distinguished church leaders who are well known for their positions on separation of church and state and who have endorsed this bill.

A former Secretary of Health, Education, and Welfare, Mr. Arthur Flemming, who was the Secretary of that agency under President Eisenhower, testified before our committee as the representative of the National Council of Churches. Mr. Flemming testified that in his judgment, as spokesman for the leading organization of Protestant churches in the United States, this particular proposal we are considering here today provides assistance that is constitutionally appropriate, assistance to children and not to private schools.

There is a third significant feature of H.R. 2362. This bill is aimed at encouraging and assisting educators to help lift the quality of education by stimulating educational research and training, experimentation, and innovation, and by strengthening State departments of education. This bill can significantly raise the level of all education in the United States.

It seems to me, Mr. Chairman, and I think what I am about to say is relevant to some of the questions raised by the gentleman from New York [Mr. GOODELL], that the key to the success of these programs we hope here to authorize does not lie in Washington, D.C. The key to the success of these programs will be back at the local level, at the local public school level, at the State level, at the college and university level. If the local public school boards of our country use the resources that we provide in this legislation with intelligence and with imagination, these programs will vastly improve the quality of American education.

Fortunately, Mr. Chairman, the record shows that with respect to other programs of Federal support for education, a good many of which were authorized in the 88th Congress with strong bipartisan support—support which I hope is forthcoming on this bill this week as well—the record shows that America's educators at every level can provide the leadership which is essential to translating into effective support the assistance which is provided by the Federal Government.

Mr. Chairman, several members of the subcommittee will individually discuss the subtitles of the bill. I should like now to address myself to one title of the bill which bears directly on one of the three chief purposes of this legislation, namely, lifting the quality of education. I refer to title III of the bill.

Title III authorizes a 5-year program of grants to local public school agencies for the financing of supplementary educational centers and services. I note for the attention of the Members of the Committee that in his great message on education to Congress, President Johnson said:

We think of schools as places where youth learns, but our schools also need to learn. The educational gap we face is one of quality as well as quantity.

Title III of this bill will help the schools of America learn new ways and new methods of doing their job better, and at the same time will help them do their job better.

I think one of the ablest witnesses who testified before our subcommittee on this bill was the distinguished Superintendent of Public Schools in Cleveland, Ohio, Mr. Paul W. Briggs. Mr. Briggs said:

I think the program as outlined in title III is imaginative and one that perhaps might be the most innovative of any of the proposals that have been made by this Congress for a long time.

Let me now outline the major provisions and purposes of title III.

First, $100 million is authorized for 1966 and, in the 4 succeeding years, such sums as the Congress may authorize.

Second, local agencies, that is, local public school agencies, together with persons broadly representative of the cultural and educational resources of the area to be served, will be responsible for conceiving, for planning, for establishing, and for carrying out the programs contemplated in title III.

What do we mean by cultural and educational resources of an area to be served? We mean such resources as State educational agencies, colleges, and universities, nonprofit private schools, libraries, museums, artistic and musical organizations, educational radio and television.

I might add that title III contemplates that a number of local public school educational agencies may join together in order to support and develop a program which could support educational services to a large area.

The next step is this. The local public educational agencies involved, having gone through their planning at the local level, will submit their application to the State public school agency for its review, appraisal, and recommendations. Then the local public educational agency would submit to the Commissioner of Education its application for a center or service based entirely on what the local community felt was in its educational interest. Clearly, the educational needs of communities vary all over the Nation. It is, therefore, understandable that the forms of the centers and services will vary under this title.

I draw the attention of the members of the committee to section 303 of the bill beginning on page 103 which enumerates a list of possible services. The list does not pretend to be exhaustive.

The Commissioner, advised by an Advisory Committee on Supplementary Education Centers and Services would then act on the grant application.

I should point out at this point that each State receives an allotment under title III. In title III the allotment formula provides that half the funds—after 2 percent has been set aside to take care of Guam, American Samoa,

Puerto Rico, the Virgin Islands, and the Trust Territory of the Pacific—funds are alloted to each State—half on the basis of the number of children in the State from the ages of 5 to 17 and half on the basis of the total population in the State.

The reason that the total population of the State is taken into consideration is that these supplementary educational centers and services contemplated in title III are not directed to providing educational services only for school age children. Adult education services may also be authorized under this title of the bill.

The programs authorized under title III can benefit children in both public and nonpublic schools as well out-of-school youth, and as I have just said, adults.

But I want to reiterate that the teachers and services and facilities authorized under this title must be administered or supervised by the public educational agency.

I want to go further and point out that this title authorizes no funds for payments of private school teachers or for the construction of private school facilities.

Now Mr. Chairman, let us talk about the purpose and substance of title III. Here are some examples of the kind of services that might be provided under this title, and let me reiterate that it is a chief purpose of this title to enable local school communities and local school districts to provide educational programs that are not now available to them—not available at the present time either in sufficient quantity or quality. That is why we use the adjective "supplementary" educational centers and services in this title of the bill.

In addition, title III will enable local public school agencies to establish exemplary school educational programs which can serve as models for the regular school systems.

Let me give you an example of the kind of service that might be provided under title III. We all know because most of us have supported such legislation that in recent years, under programs provided by the National Science Foundation and National Defense Education Act, we have made remarkable advances in the teaching of science and mathematics and modern foreign languages in our elementary and secondary schools in the United States.

Yet we are still woefully deficient in science and language instruction in many schools.

Only 10 States have all their secondary schools equipped with science laboratory facilities, and less than 30 percent of our secondary schools have language laboratories for their students.

By 1968 we will need 40,000 more science laboratories for our high schools, a nearly 100-percent increase.

One way to help meet this need would be to provide a central lab facility which could serve entire districts or areas, facilities which it might not be at all feasible to provide for individual schools.

There are any number of fields where special teachers and special equipment could be made available to students on a rotating or shared basis. For example, mobile laboratories with well-trained teachers might provide instruction in chemistry, physics, and biology for a rural district which previously suffered from a shortage of qualified teachers and adequate laboratories.

Or certain vocational equipment might be made available to a number of schools on a shared basis.

The centers might also provide specialized guidance services, including psychiatric services and specialized testing. For example, it has been estimated that up to 10 percent of our schoolchildren have emotional disturbances that require professional treatment. But right now, there are only some 3,000 school social workers working with our elementary schools. Indeed, our committee heard testimony to the effect that fully five-sixths of our elementary schools have no psychological or psychiatric service available to them at all.

Title III funds might be used for such services.

Again, the supplementary centers might provide staff facilities for educating the handicapped or for specialized remedial work. Appropriate programs for gifted students might be provided at such centers.

Localities could use the centers for after school and evening activities, either for students with special talents or for those who simply have no place to study at home.

These supplementary centers therefore provide local communities the opportunity to begin now to do many of the things they need and want to do but have not been able to afford or would have had to provide piecemeal to scattered schools.

Moreover, the centers and services authorized by title III provide a way of translating into practice into the classrooms some of the new ideas that have been developed and are being developed in education today. I referred a moment ago to the National Science Foundation. Under a grant from the NSF some years ago a distinguished group of university physicists who were dissatisfied with the way physics was being taught in secondary schools established the Physical Sciences Study Committee under the leadership of Dr. Jerrold R. Zaharias of the Massachusetts Institute of Technology.

This group of distinguished physicists working in the Boston area put together a complete 1-year physics course for American schools that was sharply different from anything available before. It began to be used in 1960 and was a tremendous success. This success encouraged other scientists, biologists, chemists, anthropologists, to tackle similar problems in their fields with the help of NSF.

It is this kind of modern curricula development which has such important implications for trainng the future leaders of our country that can be encouraged by the programs contemplated under title III.

Let me quote a little further from the testimony of Mr. Briggs, the Cleveland school superintendent:

> The severity of our problem in Cleveland is compounded by the fact that American education must move into the space age: an age that requires progressively higher levels of confidence and skill, supported and reinforced by the best scientific know-how available. This is an age which demands superior education for all our citizens.
>
> I am thoroughly convinced that Cleveland cannot bridge the gap between its problems and the demands of this age without new, dynamic programs in education.
>
> The establishment of supplementary educational centers and services, as provided in title III, is a bold, innovative and educationally sound approach which will greatly assist in bridging this gap for Cleveland and other large cities with similar problems.
>
> The supplementary education center will enable us to offer a wide range of services to our children throughout the city with a minimum of delay.
>
> I am thinking of programs in the humanities, foreign languages, music, the arts and sciences that will in some way involve every elementary school child and broaden cultural horizons, sharpen academic appetites and bring understanding of new social and scientific concepts not usually or economically achieved through traditional classroom channels.
>
> I would envision, for example, a center containing a space age planetarium capable of seating 500 students. Adjacent to the planetarium would be located specialized laboratories and demonstration centers where our children could be given experiences not possible in the neighborhood school and where they would have the opportunity for face-to-face contact with other children having similar interests and with master teachers.

Mr. Chairman, in addition to helping local communities obtain educational programs and facilities they vitally need but cannot now afford, title III authorizes the development and establishment of exemplary school programs which can serve as models for regular school programs.

These models can be used for example for demonstrating new courses, new instructional materials, new teaching practices for the benefit of regular local school systems.

Once again, the local educational agency retains administrative control over such programs.

The local educational agency develops its program, the local agency applies for the funds, and, if funds are granted, the local agency runs the program.

Let me briefly reiterate, in my remaining time, Mr. Chairman, that title III programs would authorize remedial reading, science, and modern foreign language teaching, and would provide the kind of model school systems in which we could see the use of the latest educational techniques and the latest instructional techniques. We could dovetail some of the teaching in model schools and in the supplementary educational centers with the research that would be produced in title IV, the research title of this bill about which you are going to hear a good deal more from another member of the subcommittee.

I do wish to call attention of the Members of the House to the committee report, in which Members can see detailed

a number of possible uses to which funds under title III may be put.

In conclusion, I wish to repeat that throughout title III the local educational agency will develop its program, and the local agency will apply for the funds. If funds are granted, the local agency will run the program.

I have read, not without some astonishment, some of the criticisms made by some of my friends on the other side of the aisle, which seem to suggest that somehow the Commissioner of Education is going to sit back in Washington and decide how he is going to spread this money all over the country. That is not true. That is inaccurate. The local public school agencies all over the United States who are interested in title III funds must apply for the moneys.

Mr. Chairman, the several programs authorized by H.R. 2362 can be of immense benefit in strengthening the enterprise of education in the United States:

Title I by providing education opportunities for some 5 million poor children.

Title II by making available textbooks badly needed by children in our elementary and secondary schools.

Title III by making available services not found in sufficient quantity and quality in communities throughout the Nation.

Title IV by encouraging the best educational research possible; and

Title V by strengthening our State departments of public education.

Mr. Chairman, these several titles of this bill place emphasis on local and State decisionmaking. Indeed, they are programs designed to enable local school districts to meet their responsibilities more effectively—which is, no doubt, the reason this measure has won such unprecedented support in the American educational community.

And, Mr. Chairman, this bill has been drafted so as to insure that public agencies maintain control of public funds.

Mr. Chairman, an extraordinary concensus has developed in the country in support of this bill, and I hope very much therefore that amendments which would cripple and perhaps kill this pioneer effort will be defeated.

Mr. Chairman, I hope H.R. 2362 passes with an overwhelming vote from both sides of the aisle so that American education can continue to be best.

Mr. GOODELL. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Chairman, I am going to oppose this bill if it remains in its present form. Let me state clearly why I am going to oppose it.

The allotment formula is bad. It will give the most money to the richest States. In fact, under this formula the rich will get richer as the years go on. Each State will count any expenditures from funds received under this program, when there is a determination of the average State expenditures for education. As New York gets $353 per child in this bill, it will be added to that which New York will receive in future years. Mississippi gets $120, and that will remain a lesser amount added to present expenditures. The rich will get richer and the poor will stay poor.

I also oppose title II. I believe that when the Federal Government provides textbooks for every child, this puts the Federal Government awfully close to influencing and determining what is in the curriculum. I say this not merely because of the textbooks aid in this bill but because of activities in which the Federal Government is already engaging. There are research programs now some which recently have been granted such as those to four universities in the country: Harvard, Oregon, Pittsburgh, and Wisconsin. These are grants for development of curriculum and textbook writing. We provide in other legislation for teacher institutes for the retraining of teachers. Now the Federal Government will be buying textbooks. With that I believe we will be only a step away from Federal control.

When I say this, I grant now that in this bill there is no direct Federal Government control. That is prohibited in the bill, but I say it is only one step away.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. I agree with the point made by the gentleman from Minnesota. I believe it should be emphasized that the provision of textbooks is not limited to poor children or to economically or educationally deprived children. This is a general program of providing textbooks across the land to all children, public and private schools, the rich and the poor. It will provide books to the wealthiest counties in America, such as Montgomery County, near here, and to Westchester County in my own State. It will provide them all around the country. There is no criterion to try to help the poor areas buy textbooks, or to help the poor children.

I believe this is a critical point. The economically or educationally deprived standard is not applied anywhere in the bill except title I.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Illinois for a question.

Mr. PUCINSKI. The gentleman said that this will make the rich States richer and the poor States poorer. Is it not a fact that under title I, $330 million, or one-third of the total under title I, will be allotted to 10 States in the Union.

Mr. QUIE. That is because they have the largest numbers of poor children. Even though it is a lesser amount per child, they have the largest numbers of poor children, therefore, in total funds it appears that some States get a great deal.

Mr. PUCINSKI. But it is a fact that $330 million under title I is going to be spent in 10 States of this Union, out of the 50 States in the Union.

Mr. QUIE. That is because of the number of poor children. The poor will stay poor and the rich will get richer under this bill, however.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. The reason that those States will get one-third of the money is that they have about two-thirds of the poor children. That does not seem to be a good ratio. They ought to get the same amount of money per impoverished child.

When there is given to Westchester County, the richest county in my State, $2.1 million for the same number of children that Sunflower, Miss., has, when they get $745,000, one-third the amount that Westchester County gets, I do not see how one can claim that there is anything fair about this formula.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I suggest that the gentleman redo his homework and arithmetic on the number of children in those 10 States.

Mr. QUIE. No. The gentleman from New York is correct.

Mr. Chairman, my opposition to title III is primarily because this sets up Federal local schools. The State has no voice in the operation of the educational centers in title III. We pay a lot of lipservice to our local school districts, but these local school districts exist because the State legislature set them up. We have really State programs in education in the elementary and secondary schools in this country. They are operating in the local school districts because the State legislature saw fit at one time to turn the responsibility for the operation of them over to the local school districts. So here we are circumventing an important opportunity for responsibility on the State level and title III is financed 100 percent by Federal funds. You know who has the voice in the programs in those centers when the Federal Government finances the entire program.

Just in passing, my opposition to title IV is because of the fact that I believe fellowships, traineeships, and internships should not be in this bill but should be in the higher education bill we are presently considering in the Green subcommittee.

So much for a brief determination on the question of why I am opposed to the bill. I am opposed to the bill for those reasons, not because there are private schools in the bill or because either public or private receive the aid, but I am opposed to it for the reasons I have just listed whether public or private schools receive the aid. However, when it comes to the question of private and public schools, I think we should be clear what this bill does for public and private schools.

Mr. BUCHANAN. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Alabama.

Mr. BUCHANAN. I thank the gentleman for yielding.

A few moments ago when the gentleman from New York [Mr. POWELL] was speaking, he said that as a Baptist minister he wanted to make clear we sup-

port this legislation. Now, as a Baptist and as a Baptist minister, I am one of a number of Baptists and Baptist ministers who vigorously oppose this legislation. As an integral part of our faith is the priesthood of every believer and the autonomy of every Baptist Church, so no man can speak for Baptists or for the Baptist ministers. My position as a Baptist and as a Baptist minister is one of vigorous opposition. I wonder if the gentleman from New York will answer this question, if he spoke for himself or for Baptists in this regard.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. POWELL. I spoke for myself, the minister of the largest Baptist Church in this Nation. I spoke for the Baptist Joint Committee on Public Affairs who testified, and the man who gave the testimony is Dr. Carlson of the Southern Baptists. They supported this bill exactly.

Mr. BUCHANAN. I thank the gentleman.

May I say in spite of a disposition on the part of some Baptists and their leaders, there are many more who oppose this legislation and neither the gentleman from New York nor the Baptist Joint Committee can speak for Baptists or for their churches in this or in other matters because our churches are autonomous and our people are left free to form their own positions on political matters.

Mr. QUIE. I thank the gentleman from Alabama for that contribution.

The question of the constitutionality of aid to private school children, as I said a little bit earlier, was resolved in the minds of the administration and most of the supporters of this legislation. Some Jewish groups, the American Civil Liberties Union, many Protestant people and many members of the Catholic faith as well have privately questioned this bill, but I think the majority of the committee assumed this is constitutional and, therefore, it is acceptable. So I do not want to raise any question of whether private school children should receive aid or not. On the broad question of whether we should provide this or not, it is something you all have to determine when you vote for or against the bill.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Kentucky.

Mr. PERKINS. I noticed the distinguished gentleman from Minnesota has carefully gone through the bill title by title announcing his reasons why he opposes the legislation. Is it not a true statement that the gentleman from Minnesota opposes general Federal aid to education in the elementary and secondary schools?

Mr. QUIE. In the elementary and secondary schools; I oppose broad general aid to elementary and secondary schools, public and private.

Mr. PERKINS. I thank the gentleman.

Mr. QUIE. One of the big difficulties in this legislation is that after it is passed there will be many a private school authority that will come to the public school authorities and say, "We ought to receive the same kind of assistance for the children in our schools that is being made available or is proposed to be made available for the educationally deprived students in the public schools." So I would like to ask the chairman of the subcommittee and the gentleman from New York [Mr. CAREY] a question on a number of proposals that were suggested, some of them in the report, but a larger number in the hearings submitted by the Commissioner on Education, Mr. Keppel. Let us take the ones in the report which are lesser in number.

First, I had better ask the chairman of the subcommittee if all of these proposed programs listed in the report on pages 6 and 7 would be acceptable special educational programs under title I of this bill which the Commissioner already said are available.

Mr. PERKINS. Mr. Chairman, let me say to the distinguished gentleman from Minnesota, on page 5 of the report, under "Use of Funds by School Districts," these are public schools. These are not all the possible programs that the local public educational agency may propose; there are many others. It is not limited to these by any means. These are programs administered by the public school agencies.

Mr. QUIE. The public school may utilize any of these?

Mr. PERKINS. For the public schools.

Mr. QUIE. For the public schools?

Mr. PERKINS. Yes; if they desire, and many more, perhaps.

Mr. QUIE. That is clear now, that all of these on pages 6 and 7 may be utilized by the public schools in the public school.

Now, the bill provides on pages 78 and 79 that both the public schools and the private school programs shall meet the special educational needs or shall be special educational services and arrangements; the word "special" applies in both places; is that correct?

Mr. PERKINS. If the gentleman will read the bill on page 79 he will see that private school programs are not mentioned. I regret to see the gentleman trying to read something in the language that is not there.

Mr. QUIE. Then I shall rephrase it. The children who attend private schools in section 205(a)(2) can only receive special educational services and arrangements; is that correct?

Mr. PERKINS. That is correct, if they are deprived youngsters.

Mr. QUIE. If they are deprived youngsters. Also under 205(a)(1) the public school children can only receive special programs to meet special educational needs.

Mr. PERKINS. Of the types mentioned in the bill.

Mr. QUIE. That is right.

Mr. PERKINS. There are others, but of those types, such as dual enrollment, educational radio and television——

Mr. QUIE. No; the gentleman is on the wrong section. I am talking about subsection 1 of section 205(a). This has to do only with the public schools.

Mr. PERKINS. Yes.

Mr. QUIE. And there are two parts. First, is assigned to meet the special educational needs; and second, which are of sufficient size, scope, and quality and give much promise of substantial success.

So, in either case they have to be special, is that not correct, because the gentleman from Indiana [Mr. BRADEMAS] mentioned in his comments just a few minutes ago that these had to be special programs.

Mr. PERKINS. Let me understand the gentleman's question. Is the gentleman talking about the public schools where——

Mr. QUIE. I am asking the gentleman if the word "special" applies to both public and private?

Mr. PERKINS. The word "special," of course, in the public schools—the local education agency, if it wanted a limited program, some special program, they would certainly have the authority.

Mr. QUIE. But they cannot provide general programs under this bill; is that correct?

Mr. PERKINS. If the gentleman will notice on page 78, line 20, it states:

> Which are designed to meet the special educational needs of educationally deprived children in school attendance areas—

And in the other section the term "special educational services" is used.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield to me at that point?

Mr. QUIE. I yield to the gentleman from Indiana.

Mr. BRADEMAS. It is my understanding—and I think the gentleman has raised an appropriate point—that with respect to section 205(a)(1), lines 19 and 20, where we are talking about the kinds of programs that could be carried on in the public schools, we are talking about programs which "are designed to meet the special educational needs of the educationally deprived children."

Mr. QUIE. Right.

Mr. BRADEMAS. And, if the gentleman will yield further, in school attendance areas with a lot of poor children in them, it would seem to me—and I think the hearings will bear this out—that it is obviously possible but not mandatory—because it is up to the local public school agency to decide—that if there were a public school district, let us say where 90 percent of the children came from the $2,000-or-under category, that an appropriate program to meet the special educational needs of that particular group might be reading, writing, and arithmetic, a general program of academic instruction. But that interpretation does not carry over onto page 79, section 205(2), line 9, where we are talking about "special educational services and arrangements" in which children in private schools can participate.

So, Mr. Chairman, I appreciate the gentleman's concern. I hope I have made clear that I have appreciated what he is up to.

Mr. QUIE. In other words, then, if in the private school 90 percent of the children enrolled are from families of less than $2,000, the private school children could not receive the same benefits

as the public school children if they remained in the private school? In other words, they would have to come to the public school for that type of educational assistance?

Mr. BRADEMAS. It is possible that in the kind of situation which the gentleman describes that a remedial reading instruction course would be appropriate. But I want to make this additional point, because I want to again say that I think I understand what the gentleman has in mind doing here, that we want to be very careful not to impose unwarranted Federal controls from Washington, D.C., upon what the local public school agency determines is in the interest of the children of that particular community.

I know that there is no more eloquent opponent of Federal control of the curriculum on the Committee on Education and Labor than the distinguished gentleman from Minnesota. I know he would agree with me it would be most unfortunate if Uncle Sam were to try to dictate from Washington, D.C., to every public school agency and public school district in this country the kind of educational programs they can carry out. I fear this is a danger that is presented by the kind of interpretation which the gentleman may have attached to this particular part of the bill.

Mr. QUIE. I will get to the interpretation later.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. We are talking about a key instance, if I may have the attention of the gentleman from Indiana. He has spoken in behalf of local discretion, power, and independence. If I understood him correctly, when the gentleman from New Jersey [Mr. CAHILL], asked the question if a local school district refuses to give adequate attention and provide adequate service for the pupils in private schools or private school pupils, the Commissioner of Education would refuse to make the money available. Is that correct?

Mr. BRADEMAS. I want to say to the gentleman I really must quit trying to answer these questions, of the "when did you stop beating your wife?" type. That is precisely the kind of question that my friends on the minority side on the committee have been propounding to us all day. You cannot put us, I may say to the gentleman from New York, in the position where there will be absolutely no criteria in the bill.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. GOODELL. Mr. Chairman, I yield the gentleman from Minnesota 10 additional minutes.

This is a key question. The gentleman from Indiana answered it, I believe, once. There was not anything tricky in the way I phrased the question. The gentleman from New Jersey asked the gentleman the question, you answered it, you said, "Yes, the Commissioner would refuse funds to a local school district which did not make adequate provision for the private school pupil."

Mr. BRADEMAS. That is correct.

Mr. GOODELL. All the gentleman from Minnesota, and myself and others, want to make clear is: What is adequate provision for the private school pupil? Let me ask the chairman of the subcommittee this question. He said one thing, and when you asked the very distinguished gentleman a question in this field he said the opposite.

Mr. BRADEMAS. I did not agree to what the gentleman from New York said.

Mr. GOODELL. We would like to have that clarified.

Mr. BRADEMAS. If I may respond to the gentleman: The entire purpose of my putting an inquiry with reference to the particular point the gentleman has again raised—of my putting the same inquiry to the gentleman from Kentucky [Mr. PERKINS] and the gentleman from New York [Mr. CAREY]—was to elicit a common response so that we do know where we stand on this matter. I can go through the whole question again, but if the gentleman will turn to pages 78 and 79 of the bill he will see the answer.

Mr. GOODELL. I know that.

Mr. QUIE. We have gone over that.

Mr. BRADEMAS. I thought that answered the question.

Mr. GOODELL. We will come back to this. The reason I asked the question is this: The gentleman from Minnesota is pursuing a line of questioning as to what special educational services and arrangements are. Your question to the gentleman from Indiana [Mr. BRADEMAS] and to the gentleman from New York [Mr. CAREY] used the words "special educational services could be provided in the private schools."

If you read the report, it appears you have listed special educational services on pages 6 and 7. The gentleman from Minnesota was pursuing this question as to which of these services are special educational services that could be provided in a private school. A lot of private school people hope they can get dollars here, and I think we would like to have a clear record on that.

Mr. BRADEMAS. This point I apparently failed to clear up, in my earlier response. The gentleman is making reference to title I. If you will look at pages 6 and 7, of the committee report, the list of services briefly enumerated come, beginning on page 78 of the bill, under section 205(a)(1) and (a), are "designed to meet special educational needs of educationally deprived children" under the public school program.

Mr. QUIE. On item No. 2 on page 6, it provides additional teaching personnel to reduce class size. I would ask the gentleman from Indiana, in regard to this statement, if you can provide additional teaching personnel to reduce class size? The gentleman indicated that in the case of a public school, if there are a tremendous number of children from families of less than $2,000 income, teachers in reading, writing, and arithmetic may be provided to reduce class size.

Mr. BRADEMAS. I would not contemplate this would be acceptable.

Mr. QUIE. I was asking about the private schools.

Mr. BRADEMAS. I understood the question, and I think I did answer the question. I want to go back to what I said earlier. In my judgment, that would not be appropriate because that would not be "special educational services" of the kind contemplated in section 205(2), on page 79 of the bill. That would be an appropriate kind of service set forth in section 205(a) to meet the special educational needs of public schools. But I want to make one further point. I think the gentleman is treading on very dangerous ground when he seeks to impose controls from Washington on the local public school agency in determining that.

Mr. QUIE. I want to see what the legislative intent was. I would like to ask the gentleman from New York, the gentleman from Kentucky, and the gentleman from New York [Mr. CAREY], if they would agree that this is correct, that item 2, to reduce class size, is acceptable for public schools but not acceptable for private schools.

Mr. POWELL. In that report, going from page 5 to page 7, you will note that all those suggested possible programs which are under local agencies are only for public schools. Then in the middle of page 7 you are again enumerating what is available for schools.

Mr. QUIE. I look at the wording on page 7 after the middle of the page as a subterfuge.

Mr. POWELL. I personally resent that because I wrote this report.

Mr. QUIE. No personal reflection is intended. You are saying funds are not available for private school teachers. Granted. But the bill grants money for public school teachers to teach in private schools, but this is not mentioned in the bill. The report says in the next sentence:

> The bill does not authorize funds for the payment of private school teachers. Nor does it authorize the purchase of materials or equipment or the construction of facilities for private schools.

But on page 9 of the bill it says that equipment can be one of the services and arrangements. So I say that is one of the areas on which we need legislative history. Equipment is defined on page 91 of the bill as everything except the teacher but no where does it say it cannot be placed on private school grounds if title is held by the local education agency.

Back now to the question the gentleman from New York did not answer. No. 2 on page 6, "Additional teaching personnel to reduce class size."

I take it, however, that the gentleman indicated that none of the provisions on pages 6 and 7 apply to private schools.

Mr. POWELL. That is correct, up to the middle of page 7. We are talking about the use of teachers to reduce class size in public schools.

Mr. QUIE. Let me ask the gentleman from Kentucky this question. Would you say that every item enumerated on pages 6 and 7, enumerating the programs of special education, apply only to the public schools and not to private schools?

Mr. PERKINS. Let me say to the distinguished gentleman that these are types of programs that the public schools

may make available. The types of programs for the private deprived youngster is set out on pages 7 and 9 under special educational services and arrangements such as dual enrollment and educational radio and television.

Mr. QUIE. Will the gentleman just answer me yes or no? Are the programs enumerated on pages 6 and 7 only available in the public schools or are they also available for the local educational agencies to be placed in the private schools?

Mr. PERKINS. There may be very few programs that could be utilized in the private schools set forth in that list. But by and large all of these programs in my judgment are public school programs made available by public schools authority and under its control at all times.

Mr. QUIE. That answer is going to be a lot of help to a local educational agency.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I think the answer very clearly is in the words "not necessarily." There is not anything that necessarily restricts these to public schools only.

Mr. QUIE. That is an altogether different answer still from what the gentleman from New York and the gentleman from Kentucky gave.

Mr. PERKINS. The gentleman from Minnesota well knows that private pupils may participate in these programs. I do not think he should try to confuse anybody as to the individuals that may participate in the programs even though they be in the private school or public school.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. Before I yield to the gentleman from New York [Mr. GOODELL], as I get the answer now from the gentleman from New York [Mr. POWELL] it is that these programs are only available in the public schools.

Mr. POWELL. That is correct.

Mr. QUIE. And they are not available to the public agency in a private school?

Mr. POWELL. That is correct.

Mr. QUIE. The gentleman from Kentucky says they may be, in fact, though it be for private school children or pupils.

Mr. PERKINS. The gentleman from Minnesota misunderstood me.

Mr. POWELL. I do not believe any such statement like that was made here at all.

Mr. QUIE. If I understood the gentleman from New York [Mr. POWELL] correctly, he says it is correct. Now what did the gentleman from Kentucky say? Does he agree with the gentleman from New York?

Mr. PERKINS. These programs are under public school authority although available to deprived children to participate in. Certainly, these are public school programs.

Mr. QUIE. Now does the gentleman from New York [Mr. CAREY] agree with these two distinguished gentlemen that these programs are available only in the public schools and the private school child would have to come to the public school in order to participate and they are not available for the private school child in the private school even though title was kept in the public school?

Mr. CAREY. If I may be permitted to answer that question in this way, this provision of necessity has to do with a public agency and only a public agency can mount the program. Therefore, the program being under the jurisdiction and control and administration of a public agency and these programs being designated as school programs have to take place in public schools because they are school programs.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. GOODELL. If I may ask the gentleman from New York [Mr. CAREY] a question, you agree that the programs, I take it, listed on pages 6 and 7 are only being made available in public schools and cannot be made available in private schools?

Mr. CAREY. If they are school programs conducted by a school and for a school as an institution, then they have to take place in a public institution. I wonder if I can ask a question, if the gentleman from Minnesota will yield?

Mr. GOODELL. The gentleman has a little reservation on this so I do not quite understand. Can some of the programs listed on pages 6 and 7 be made available to private school pupils?

Mr. CAREY. They are made available to the children—yes.

Mr. GOODELL. In the private school?

Mr. CAREY. No, they are made available to the children in the public school because the public school is administering the program. I want to inform the gentleman that the program has a fixed situs. There are public school programs that take place in my State and in my city where the situs is not part of the school but it is nevertheless a public school program.

Mr. GOODELL. Now I understand. In other words, we may have a public school program in a private school?

Mr. CAREY. Not as a private school—no—because a private school is legal entity and is different from a public school.

Mr. GOODELL. If the public school authority is providing one of these programs in a private school on private school property, then you conceive that this may be a public school program under your definition?

Mr. CAREY. It remains a public school program because it is initiated as a public school program and it is a public school program wherever it is held.

Mr. GOODELL. All right then, under this bill then you feel these services can be provided by public school authorities in the private schools?

Mr. CAREY. No.

Mr. GOODELL. Because it would be a public school program?

Mr. CAREY. No. My colleague is a good enough lawyer and an able enough lawyer to know that when one speaks of a private school he speaks of a legal, juridical entity.

Mr. GOODELL. On property owned by the private school?

Mr. CAREY. On property owned by the private school, if they are public school programs, no, because then we would be compelling public school children to go to the private school to get the public school programs. The gentleman knows we cannot do that.

Mr. GOODELL. For the private school pupils? I do not believe the gentleman answered the question.

Mr. CAREY. I have answered to the best of my ability. But I cannot answer the question to the conclusion of the gentleman and what he is attempting to reach, because I cannot share his conclusion.

Will the gentleman from Minnesota yield to me so that I may ask a question of the gentleman from New York?

Mr. QUIE. I yield to the gentleman.

Mr. CAREY. I am being forced to reach what I hope is really a most unhappy conclusion. That conclusion comes from what the gentleman has said thus far.

The very able gentleman from New York [Mr. GOODELL] very strongly supported the aid to education bill last year. He very strongly supported the higher education act and the National Defense Education Act, title 5(a), vocational guidance for private school children as well as public school children.

From the colloquy thus far, the only conclusion which I can reach is that the gentleman is opposed to giving any kind of assistance to children in the parochial schools who are needy. Is that a correct conclusion?

Mr. GOODELL. Mr. Chairman, will the gentleman from Minnesota yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. The gentleman could not be more wrong.

I want to know what this bill is going to do for the private school pupils, and what will be involved, as a matter of legislative history. I do not wish to have the subcommittee chairman saying that it does not give aid to a private school pupil and another man making a legislative history saying that it does. I do not think that is fair to the American people. I do not think that is fair to the private schools. I do not think that is fair to the public schools.

We have a right to know what is in this bill and who is going to receive what under it.

Mr. CAREY. Then am I correct in assuming that the gentleman does favor giving some assistance to needy children in nonpublic schools?

Mr. GOODELL. I favor giving aid to the children in private schools to the extent that we can, constitutionally.

Mr. CAREY. Good.

Mr. GOODELL. We are trying to confine this. If we could get some clear answers we might know.

Mr. CAREY. The Department of Justice said that this bill was constitutional even before we tightened it up.

Mr. GOODELL. There are some distinctions which must be made. One cannot define whether a bill is constitutional or not until he knows what it is planned to do and what the limits are. We get different answers from everybody whom we ask these questions, as to what can be done under this bill as it is written. That is the whole key to it.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I should like to ask the gentleman from New York [Mr. GOODELL] a question.

On numerous occasions this afternoon we have repeatedly heard references to private schools. I should like to ask, when the phrase "private schools" is used, is it intended that this includes parochial schools as well?

Mr. QUIE. Mr. Chairman, I yield to the gentleman from New York to answer the question.

Mr. GOODELL. Without question, the term "private school" includes religious parochial schools. It is a broad term which includes more than that, in that other types of private schools are also involved.

Mr. QUIE. Mr. Chairman, I might say, in commenting on the question raised by the gentleman from New York [Mr. CAREY] that last year, when the higher education bill was under consideration, it provided aid for both the private and public colleges. We made that very clear. We stated it flatly here on the floor. We said, "this provides grants to all colleges who qualify." We made it absolutely clear all the way through. We did not try to hide anything.

What I say today is that it seems you are trying to make it appear to some people that this provides aid for the private schools and to others that it does not.

The danger is not going to come to us in passing this bill. The problem will come up in the local communities, in the private schools in the community—the Lutheran private schools, the Catholic private schools, the Episcopal private schools or any other private school. They will come to the local public school agency and say, "We see these programs operating in your school. We have some poor children in our schools. We would like to have some of these programs, too. What kind of programs can we avail ourselves of?"

If those people could turn to a legislative history, when we ask questions on these matters which can be answered "yes" or "no," then all people could agree, and we could say, "This is the legislative history. You can avail yourselves of this but not that."

This seemed to be clearing up some when everybody seemed to agree with the gentleman from New York [Mr. POWELL], that these programs on pages 6 and 7 of the report were available for the public school children in the public schools and that the private school children would have to come to the public schools to get them. Then we learned from the gentleman from New York [Mr. CAREY], that when he talks about the public schools, he means there could be a public school program being conducted on the grounds of a private school, or a museum, or someplace that was a vacant lot once before they built the building on it. This gives an altogether different picture from that we started to get from the gentleman from New York [Mr. POWELL].

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the chairman of the committee.

Mr. POWELL. As you know, the idea of shared time on a Federal basis was my idea, and I referred it to the subcommittee of which the gentleman from New York is the chairman. I should know what this means, because that is the very basis of the entire situation: that public school buildings will have funds provided by the Federal Government for the educationally deprived under the local school agency and those children educationally deprived who go to private schools under this shared time concept now observed in 34 States will go to these public schools and share in these new facilities. That is the whole thing.

Mr. QUIE. May I point out to the gentleman that your bill does not provide for the language that is in this bill. Neither did this bill when it was sent up by the administration. But in the subcommittee the words "and equipment" on line 12, page 79, were added.

Mr. POWELL. That is right.

Mr. QUIE. And then the definition of "equipment" which appears on page 91 was added in which it defines as equipment, "machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them" and so forth, all the way through the definition.

I understand from what has been said today that as long as the public agency has title to the materials and administers it, it can be placed on the private school grounds. This the private school people ought to know so they can have this assistance if they want it.

Mr. POWELL. That is correct. All these new techniques of teaching are very expensive. Audiovisual, television, and tapes. You know that. These can be loaned by the local school agencies to private schools and the local school agency retains title to them. The Lord giveth and the Lord taketh away.

Mr. QUIE. They can put a structure on private grounds but they do not have to have wheels under it do they?

Mr. PERKINS. Mr. Chairman, will the gentleman yield to me?

Mr. QUIE. Yes. I yield to the gentleman from Kentucky.

Mr. PERKINS. The gentleman from Minnesota keeps referring to aid to private schools. We make no provision for aid to private schools when we make provision for such special educational services to the deprived child. The gentleman referred to the definition of "equipment." If he will read that definition, he will notice that is modified by the word "mobile" equipment.

Mr. QUIE. Where do you see the word "mobile"? You mean "mobile services and equipment"? You are saying these must be mobile structures that house them; they had better keep the wheels under the buildings?

Mr. PERKINS. If you will look at page 79 of the bill and lines 11 and 12 of the Report No. 143 you will see what I mean.

Mr. QUIE. Yes. Lines 11 and 12. It says, "and mobile educational services and equipment." You say in that language "mobile" refers to equipment as well as educational services?

Mr. PERKINS. Absolutely. And I think the gentleman will agree. He is a student of English.

Mr. QUIE. That means the structures will have to be constructed with wheels under them.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield to me?

Mr. QUIE. Yes. I yield to the gentleman from Michigan.

Mr. GRIFFIN. I regret very much having to make this observation, but I think it was very unfortunate that the gentleman from New York [Mr. CAREY] turned himself from the merits of the discussion and the question and the very commendable effort of the gentleman from Minnesota to try to clarify what this bill means and directed his remarks in a personal way toward the gentleman from New York [Mr. GOODELL], in saying that apparently he was not interested in helping children to attend private schools. Not only is that unfair, but it is not consistent with the facts, because the gentleman from New York has been very helpful as far as amendments to the National Defense Education Act are concerned where teachers in private schools are concerned, but most prominent is the recent bill which he introduced along with the gentleman from Missouri [Mr. CURTIS], which would provide substantially more assistance to children in private schools than this bill and would do it in a way that would clearly be constitutional and would not raise constitutional questions and would not subject the private and parochial schools as well as the public schools to the type of Federal control which this bill will subject them to.

I hope that the gentleman will pursue his line of questioning so that we may hope to get answers that will enlighten the membership as well as the public generally on what this bill means. That is all we are trying to find out, exactly what the bill means so we will know how to vote.

Mr. QUIE. I thank the gentleman for those clarifying comments because I can say, too, from my knowledge of the gentleman from New York [Mr. GOODELL] that there is no effort on his part to discriminate against people who send their children to private schools. They should not be hindered in any way from sending their children to private schools, if they so desire. So I can assure the House from my knowledge of the gentleman from New York that there was never any intention on his part to discriminate against them. But he wanted to clarify, as I am trying to do, what in the world this bill means for these individuals who are included in this legislation.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. GOODELL. Mr. Chairman, I appreciate very much the comments made by my two colleagues. Let me give you an example of why I am concerned that the private school pupils are really going to get a pittance from this particular piece of legislation, especially in certain areas of the country. At page 149 of the hearings I asked Secretary Celebrezze:

How many States permit aid to private schools?

Mr. Celebrezze's reply, the end of his reply I think it is fair to quote. He said:

Our summary was that States having relatively absolute prohibitions against the use of public funds to aid sectarian schools, prohibited by the Constitution, were 28, prohibited by statute were 4.

As we went further in our colloquy, Secretary Celebrezze and myself, it developed that in 26 States it would be unconstitutional under their State constitution to provide what many of us feel is the minimal aid that should be given to private school pupils, dual enrollment, shared time. So you start right out with 26, more than half of the States, that cannot under their State constitutions provide such aid.

Then we get the information from the gentleman from New York [Mr. CAREY] and from the gentleman from Indiana that if a State refuses to give aid to these private school pupils, the Commissioner will refuse to make the money available in that school district.

What will be the situation in these 26 States that will not even permit under their constitutions the minimal aid, permitting private school pupils to go to the public schools for shared time or dual enrollment? I think it is a very key question. A good many of the private school people feel that they are going to get a lot of money under title I. It is my feeling that they are going to get very little and perhaps the amount that they get may be in violation of the Constitution, the way the bill is written.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield.

Mr. POWELL. What the gentleman has said in his quotation of Secretary Celebrezze is correct. Also, there are 35 States that are now using the shared-time concept. Also the National Catholic Welfare Conference and Monsignor Hochwalt were very happy about this bill.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, I respectfully direct the gentleman's attention to page 91, paragraph (13):

The term "school facilities" means classrooms and related facilities * * *.

Then in paragraph (14):

The term "equipment" includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them * * *.

I should like to ask the gentleman, what is the difference between "classrooms" in paragraph (13) and "any necessary enclosures or structures to house them"?

Mr. QUIE. The only thing I have been able to learn from the gentleman from Kentucky [Mr. PERKINS] is that the "structures" mentioned in subsection 14 have to have wheels under them because he says in section 205(a)(2) "mobile" refers to the equipment. The only way I can interpret the word "mobile" is if such equipment has wheels under the structure or that any of the equipment is not bolted to the wall so they can carry it out any time they want to.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. There is one key definition and there seems to be a wide divergence of opinion as to its meaning. The gentleman from Minnesota [Mr. QUIE] raised the question. I think in the section providing that aid must be available to private school pupils, they use the word "equipment." The definition of equipment becomes critically important. They do not use the words "school facilities" as such.

I think this is why the gentleman from Minnesota [Mr. QUIE] has especially directed his comments to the term "equipment."

The gentleman from California raises a very interesting question as to the distinction between the two. But this was one of the reasons why the gentleman from Minnesota, I believe, pointed particular attention to the term "equipment" in its definition.

Mr. HOLIFIELD. Mr. Chairman, if the gentleman will yield further, as I read on in section 14, it seems to include everything that would be necessary for an educational function.

Mr. QUIE. I would say everything, except the teacher is covered in subsection 14. I cannot find anyone who can tell me something that is not in there.

Mr. POWELL. Mr. Chairman, will the gentleman yield to me?

Mr. QUIE. I yield to the chairman of the committee.

Mr. POWELL. The gentleman from California has raised a very important point which I think should be cleared up. The term "equipment" includes machinery, utilities, built-in equipment, and any necessary enclosure or structures to house it and includes all other items necessary for the functioning of a particular facility as a facility for the provision of educational services, including items such as instruction equipment, necessary furniture, printing, publishing, and audiovisual instruction materials, books, and so forth. There are included no classrooms at all.

Mr. QUIE. No classrooms?

Mr. POWELL. No. That is to house the equipment.

Mr. QUIE. What is this facility for the provision of educational services if not a classroom?

Mr. POWELL. And be given to a private school by a local school agency in the audiovisual, and so forth field.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. If I understand the gentleman from Minnesota's colloquy with the key leaders of the other side, I believe he said the term "mobile" also applied to equipment.

The term "mobile" is used here on page 79 of the bill as to what you can provide for private schools. But when you get to the definition of equipment, we are going to have mobile built-in equipment, mobile utilities, and mobile structures and enclosures to house them.

It seems to me the gentleman is asking a very pertinent question.

The school districts are going to have to make a decision as to what kind of items they are going to have made available, because as the gentleman pointed out, the provisions on page 79 do not leave it in the discretion of the local district. It says that it has to make provision for these things and the Commissioner is going to have to decide what the public people are going to have to make available to the private.

Mr. POWELL. Mr. Chairman, I yield 15 minutes to the gentleman from New York, a member of the subcommittee [Mr. CAREY].

Mr. CAREY. Mr. Chairman, this bill is a long time coming, and it will be a long time, I believe, in operation, and the more I read of the bill the more certain I am that, as drawn by the subcommittee, the language as set forth in the bill is clear to those who wish it clear and misty to those who wish it cloudy.

The word "special" means what the connotation "special" means in our language. The meaning of the words "special services" means services not for all teaching programs. In other words, each word in this bill has been carefully chosen. The bill, in my opinion, is a matter of precise draftsmanship. I am concerned that my colleague from New York [Mr. GOODELL], and the gentleman from Michigan [Mr. GRIFFIN], are restive because I made reference to their aims and desires. But I do think the time was there to cut the question.

I have listened for so long, and today especially, about the great concern of my colleague, as just evidenced, that the private schools will get only a pittance under this bill. I do not know what his description of a pittance is. I do know that the private schools will not get anything under this bill, but as to what the children will get under this bill for attending those schools, let me say here and now that the administration bill, the subcommittee bill, for the first time in any bill coming out of this Congress, does include the interest of all the children in all schools.

I want to find out if my colleague from New York backs that in principle?

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. CAREY. I yield to the gentleman from New York.

Mr. GOODELL. I certainly agree with the gentleman we should have a program that helps private school pupils or private school children as much as public school children; but the gentleman has failed to convince me that when

32 States find it unconstitutional or illegal to provide any aid whatsoever, such as dual enrollment, which to me is quite simple, they are going to get any help at all.

Mr. CAREY. I will deal with that question because I hoped my colleague would bring it back out. New York State has one of the model constitutions in all the country. It was drawn by Elihu Root back in 1892, and the wording of that State constitution has been copied by many of the States. With reference to the granting of funds to sectarian institutions, all of the provisions come under the State distribution of funds for schools and direct individuals. None of these State constitutions refer to individualized services for the benefit of individuals. That is why the program administered for public schools to benefit children would not come under the prohibition of these State constitutions any more than they would come under the prohibition of the New York State constitution.

Mr. GOODELL. You are talking about a State.

Mr. CAREY. Referring to State funds. All of these constitutions speak in terms of State money. They do not pertain to Federal funds.

Mr. GOODELL. We have had some testimony of State officials to the contrary.

Mr. CAREY. I would suggest to the gentleman that he refer to the testimony and statements of the commissioner of the State of New York, Mr. Allen, a very reputable man and an outstanding educator, who stated that there would be no difficulty with this program.

Mr. GOODELL. The gentleman is referring to New York, but when you get 28 States that have a constitutional provision against opening their public school doors to private school pupils, to come in under a dual enrollment, it seems to me it is very unlikely you are going to get anything meaningful out of this.

Mr. CAREY. The prohibition applies to a single type of program. That is why we have a multiplicity of programs in this, so that they can choose one in helping the children who are disadvantaged in any one public school.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. CAREY. I yield to the gentleman from New Jersey.

Mr. CAHILL. I thank the gentleman.

I share his concern, and have very much the same convictions as he does along the line of education for children in this country.

I hope that he has not misinterpreted my interrogation. I ask you frankly to place in the CONGRESSIONAL RECORD what is the legislative history of this bill and precisely what I think the gentleman feels is in this bill. What I should like to ask the gentleman is this: Can the gentleman tell us with any degree of specific instances exactly what the pupil of a private school gets or can get from this bill, or is it within the sole discretion of the school district in which the child resides?

Mr. CAREY. Certainly discretion plays a part in the decision but I would suggest that the need of the student is what would govern. If the child is deficient, say a Puerto Rican in English, I would suggest that is the kind of instruction he would receive.

Mr. CAHILL. Can the gentleman tell us the mechanics of how he would get that?

Mr. CAREY. A teacher proficient in English would try to bring that student's proficiency to the level of other students in the community, using materials from the public school program.

Mr. CAHILL. Would the teacher be supplied by the public school? Possibly the teachers in the private schools do not have sufficient time to give that child the specialized training he requires.

Mr. CAREY. If the child is deficient and is part of a group of students who are deficient in English, then that child in that school, or in other schools, will take part in this program, in the only place it can be given, in a language laboratory.

Mr. CAHILL. So does the gentleman say that if students in the private schools are not getting the quality of education the students in the public school are getting, and if in all instances they qualify under the criteria established in this bill, then they are entitled to the same quality of education within the school district as the public school child?

Mr. CAREY. The gentleman is trying to raise him to the level of excellence of the other students in that community.

Mr. CAHILL. In other words, the gentleman agrees that this bill has as its objective providing the same degree of education to the child in the private school as the child in the public school?

Mr. CAREY. Yes. I refer the gentleman to the very copious hearings we have on this bill. On some of these matters, we run into difficulty but that judgment comes from the school administrators from the States who came before the committee. These administrators indicated, one after the other, that in Los Angeles, New York, New Jersey, and Kentucky, they would have no difficulty in administering this for the benefit of all children.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. CAREY. I yield.

Mr. THOMPSON of New Jersey. I have listened with great interest to the colloquy between the gentleman from New York and the gentleman from New Jersey. I know precisely the answer to the gentleman's problem, and I hope I can assist with this language. Services and arrangements are provided for nonpublic school students, not the special as distinguished from the general educational assistance. Thus public school boards could make available services of such special personnel as guidance counselors, speech therapists, and remedial reading specialists, who would reach into the public schools for service in the nonpublic school building, but these special services would not be part of the regular instructional program of the nonpublic school; thus the nonpublic schools would not get general classroom teachers in history, English, math, and social studies. In California and New York, they have strict constitutional provisions on aid to private schools, and particularly do not permit special services of the kind mentioned.

Therefore, the provision about providing full assistance under title I is up to the public school district, subject to the laws of the States.

Mr. CAHILL. I thank the gentleman.

Mr. THOMPSON of New Jersey. Does the gentleman from New York agree with the language just read?

Mr. CAREY. Yes, it is almost as if I reiterated it.

Mr. THOMPSON of New Jersey. I am informed that the gentleman from Kentucky agrees?

Mr. PERKINS. I think the gentleman from New Jersey has eloquently stated the proposition.

Mr. CAREY. Mr Chairman, Albert Edward Wiggam has said:

> Intelligence appears to be the thing that enables a man to get along without education. Education appears to be the thing that enables man to get along without the use of his intelligence.

I should like to spread some intelligence about education upon this record, stressing our country's need for one without disclosing my lack of the other.

As a first item of intelligence, Mr. Chairman, some of our distinguished colleagues have expressed mystification about the source of the legislation, asking: "Where did this bill come from?"

It has been suggested that this formula, blend, and mix of titles was concocted in that occult and stygian house of alchemy, referred to scornfully by some as "downtown." On that point it is no secret that at the call of the administration, a task force—a most eminent and distinguished panel composed of the best educators, State, local, and Federal officials—worked for weeks on end to make recommendations on the kind of educational remedies we need for this day and age. I suggest, Mr. Chairman, that it is good for the country we were able to avail ourselves of such a high order of good counsel in preparing legislation and that we would be unwise if not foolhardy to attempt to move forward in education without the help and guidance of those most knowledgeable in the field. But I reject any notion that we bring a bill to this floor that was precooked, frozen, and untouched by the human hands of our able subcommittee, full committee and our diligent and effective staff.

Through the long days and nights and weekends of hearings this bill has been stethoscoped and flouroscoped and microscoped and the only thing we resisted were the efforts of the minority to telescope it down to one-third its size.

Because of the splended effort which this bill represents I wish to pay a tribute to a most devoted and diligent subcommittee chairman, the gentleman from Kentucky. Mr. PERKINS did not spare himself in any way in the conduct of hearings and executing executive sessions.

The staff of the subcommittee, particularly Dr. Deborah Wolfe and Mr. Jack

Reed, and of the full committee are truly deserving of high commendation.

Praise is due also to the subcommittee members on both sides for their uniformly high attendance and extensive interest in witness testimony which was characteristic of our deliberations.

Those of us who have been intimately involved with the bill know how carefully and precisely the bill has been studied, refined, redrawn, and tightened to meet every possible consideration of constitutionality, practicality, and sound policy.

Always our eye was trained on the fixed star of preservation of our traditional system of State and local control of education and the principles of educational freedom so well established in our history.

The bill before us today is about 70 percent evolution and 10 percent ingenuity. It is the result of the evolution of Federal aid to education proposals going back nearly 20 years in search of a workable approach. Most recently, the hearings and study conducted last year by the Select Subcommittee on Education under our distinguished colleague, the gentleman from Pennsylvania [Mr. DENT], on his bill for impact of need and disadvantage, supplied the genesis for the basic approach in title I of this bill.

The origin of the concept is, therefore, no secret or mystery, and it originated here in Congress. Basically, in title I we seek to make available that quantity of support which will bring 5,200,000 children up to the level of educational excellence enjoyed by their fellow students. That quantity is estimated to require a commitment of $1 billion, and we make that commitment in the bill. We leave to local option, as we should the remedies and means to be used to achieve equality of excellence. Nowhere in this bill is there a Federal mandate. On the contrary, throughout the bill is the principle of local and State options, initiative and management.

Let me cite what title I would do for my city and what it can do for other great cities.

First, we can begin to meet the heavy cost of educating the needy child, the disadvantaged student on which we are currently spending about $120 more than we are for the more fortunate.

For the benefit of all the disadvantaged children in all the schools of New York City—public and nonpublic—we will be able to provide the services of additional personnel for such areas as health, guidance, dietetic improvement. We will be able to offer special instructional materials, extend our eminently effective higher horizons program, offer special library and cultural services, science coordination and large scale diagnostic, preventive and corrective services. We have prekindergarten programs underway and we can open these to more children in more neighborhoods and we can expand our system of all-day neighborhood schools.

In short, we will make title I work in New York City because the formula for distribution does two things that are imperative to meet our needs. First, it counts all our children who are in need and it recognizes the cost of education per pupil in our city and State to meet their needs.

After grappling with this formula for nearly 3 months, I have come to this conclusion: The formula is like eating olives. You may not like the first taste but as you digest it a few times it becomes more and more palatable.

The best proof of the workability of this formula is very simple. It counts every child and it recognizes the cost of the quality differential for educational excellence, locality by locality and the best proof of its merit in this bill is that no substitute formula offered to the committee would distribute these funds without penalizing one section of the country in order to support another. As is, this formula works. It deserves a trial. Most importantly by the action of our subcommittee the bill comes back before us next year for reexamination, review, and if need be, revision.

Mr. Chairman, in addition to the quantity of education provisions comprising title I, I would like to stress the quality of education features in chief as they are set forth in titles II and IV.

I have a paternal attitude toward title II as my bill, H.R. 13, which I suggested last fall and submitted in January, is basically the same as this title. Therefore, I strongly support the provisions of title II for the improvement of school library resources and other instructional materials for all of our schoolchildren. A school without a library is a crippled school and children who attend such schools are not being provided an equal opportunity for education. More than half of our schools, with more than 10 million of our children, have no school libraries at all.

This title would authorize allotments of $100 million to the States to be expended under a State plan developed by a State agency. The plan would set forth a program for the acquisition of library resources—including audiovisual materials—textbooks, and other printed and published instructional materials for the use of children in elementary and secondary schools of the State. For the first fiscal year—1966—in which the program is operative, an amount equal to as much as 5 percent would be available from the State's grant to defray administrative costs of the program.

The State plan would set forth criteria to be used in making the library resources, textbooks, and other printed and published instructional materials available to children and teachers in elementary and secondary schools in the State. The State plan would take into consideration the relative need of children and teachers for such materials and provide assurance that such materials would be provided on an equitable basis for all elementary and secondary school children and teachers.

In making library resources, textbooks, and other instructional materials available to elementary and secondary students who were not enrolled in public schools, the State agency would be required, by the terms of the legislation, to so administer the program as to conform to State law.

The committee has taken care to assure that funds provided under this title will not inure to the enrichment or benefit of any private institution by providing that:

First. Library resources, textbooks, and other instructional materials are to be made available to children and teachers and not to institutions.

Second. Such materials are made available on a loan basis only.

Third. Public authority must retain title and administrative control over such materials.

Fourth. Such material must be that approved for use by public school authority in the State. The selection of material would be entirely in the hands of State and/or local personnel.

Fifth. Books and material must not supplant those being provided children but must supplement library resources, textbooks, and other instructional materials to assure that the legislation will furnish increased opportunities for learning.

These conditions can in no way under the terms of the legislation be circumvented, but at the same time, assurance in the administration of the State plan must be given so that the library resources, textbooks, and other instructional materials will be available on an equitable basis to all elementary and secondary school children and teachers.

The availability of good school libraries and good teaching materials is essential to good teaching and true learning. Can we say that we are truly concerned with the ability of boys and girls to read well and with enjoyment and understanding if we do not provide school libraries for their use and libraries to guide them?

It is in the elementary school that lifetime habits and attitudes toward reading are developed. This is the school age when nearly all children like to read or be read to. But this natural desire can be frustrated and destroyed if reading is only a classroom chore, if there are no libraries to make it a journey of satisfaction and exploration.

This journey, however, is blocked in even our largest cities before it begins. In 10 of our largest cities, only 1 out of 4 schoolchildren in these cities had a library. One city had 2 elementary-school libraries serving less than 10 percent of the students. Three cities spent less than 15 cents a year for each pupil for library books. The pattern in these cities is duplicated elsewhere in the country, in towns and communities across the land. The answer in these schools to "why Johnny can't read" may well be that there is little for him to read and little stimulus or pleasure in reading.

"We have not really taught the student to read unless he reads because he wants to, sees sense and purpose in it, enjoys and profits from it," says John H. Fischer, president of the Columbia University Teachers College:

> Such reading is not likely to occur unless the student has a chance to choose books for himself* * *. It is this opportunity and stimulus that a library in a school provides.

One of the noted researchers on the teaching of reading to slow-learning, disadvantaged children testified that after those children learn to read, they need libraries to stimulate their desire and interest in continuing to read and learn.

In another piece of research it was found that when central libraries are provided in elementary schools, with qualified personnel to supervise and direct a program of services, children and teachers alike received a number of benefits otherwise denied to them: First, they had immediate access to a more adequate collection of learning materials both in their classrooms and central libraries—that is, more and better materials were found in those schools having a central library than in those using classroom collections alone; second, children did more reading and therefore there was less apt to be a significant proportion of nonreaders in schools having central libraries; and, perhaps most interesting to all; third, greater education gain between the fourth and the sixth grades was found to be associated with those children having access to a central library with a full-time librarian within their school building.

Many schools are just as inadequate in the quality and recency of their textbooks as they are in libraries. Textbook sales in our Nation in 1963 amounted to $293 million, or only $6.11 per student. In some States, as much as $12.32 was spent per student, in others as little as $4.76. Copies of a single modern hardback textbook often cost as much as the entire year's school budget for new instructional books.

For so many families the purchase of a child's textbooks is a luxury they can ill afford. A 1964 study shows that one-fourth of the school systems in 128 of our largest cities do not provide free textbooks at the high school level. Nonpublic schools rarely provide free textbooks. A poor family with children in high school may be required to spend $15 to $20 or more per child for up-to-date textbooks, a prohibitive sum when money does not exist for many of the barest necessities of life. In 1961 parents spent over $90 million for textbooks—approximately 40 percent of that year's total expenditures for textbooks. Children in families unable to support this extra burden are often turned from the halls of the school to the alleys of the slums. We cannot afford this loss.

I conclude, as did the President in his message on education:

> The cost of purchasing textbooks at increasing prices put a major obstacle in the path of education—an obstacle that can and must be eliminated.

For all these reasons, I urge your support of this essential education bill and specifically title II.

As to title IV, education is changing—and change accompanies progress. But mere change is no guarantee of quality. Change in education should be based on first-rate research and development and it should be made readily available to all students. Title IV of the Elementary and Secondary Education Act of 1965 would amend the Cooperative Research Act of 1954—Public Law 83-531—to provide new and expanded programs of research and development to promote quality education in all schools of this Nation.

Significant progress has already been made in educational research. For example:

Programs have been developed to guide elementary school children in discovering the basic concepts of mathematics; results are so encouraging that many school systems throughout the country are adopting the methods.

Studies supported under the cooperative research program have shown that the rate of listening comprehension of blind children can be raised to levels above those for children with unimpaired sight—in fact, to four times the comprehension speed of braille.

Effective preschool education programs are being developed for children from impoverished backgrounds to compensate for the retarding effects of disadvantaged home and neighborhood backgrounds.

Grade school pupils have been successfully taught anthropology and college level economics; this indicates that curriculum evaluation and research are necessities at all levels.

Research is thus at the heart of improved education. However, our present expenditures on educational research are but a small answer to a great need. Education, with a total annual expenditure of about $34 billion is the Nation's No. 1 industry. Yet we spend only $72 million—or one-fifth of 1 percent of our total educational outlays—for research and development in this vital field.

Perhaps the greatest danger to our schools in an age of accelerating change is adherence to outmoded practice—a danger which persists in the absence of research. They system of national and regional educational laboratories which would be established under the Cooperative Research Act as amended by title IV of this bill is designed to avoid this danger by mobilizing resources at all educational levels to bring about innovation and experimentation.

DR. KILLIAN DISTRIBUTIVE INNOVATION

Education is the joint concern of local schools, universities, and other groups within communities—it is the concern of scholars and researchers from many disciplines as well as local school personnel. Accordingly the laboratory program will bring together artists, historians, mathematicians, and other scholars to work closely with psychologists, sociologists, teachers, and administrators from local school systems to develop and evaluate curriculums and educational programs.

Well-worn curriculums are now too often outworn. Curriculum innovation, which is crucial to quality education, will be an important function of the laboratory program. The laboratories will provide a means by which a variety of groups can work together in curriculum development, thus avoiding the possibility of any one group controlling what is taught in school systems. This interdisciplinary attack on educational problems is new but not unprecedented in educational research. In recent years the National Science Foundation and the Office of Education have supported projects in which competent scholars in several fields have worked side by side with local school personnel and educators. The laboratories will continue these efforts, but on a larger scale and with expanded scope. Most of the advancements thus far have been made in the fields of science and mathematics. The social sciences, the arts, the humanities, and other fields demand and deserve similar efforts to overcome outmoded curricular practice. The laboratories will bring together a variety of groups and individuals to work on just curricular innovation.

To carry out research is to assume the obligation of disseminating the findings, so that education as a whole may benefit. In medicine the average lag between research and its application is estimated at 2 years. In education, the process often takes 30 years or more. The record of education in publishing research findings has not been satisfactory, but the laboratory program is designed to overcome these shortcomings. One reason for this time lag traditionally has been the exclusion of teachers and administrators from the process of innovation. But who knows more about the schools than those who work in them every day? Under the laboratory program, as I have explained, these individuals will be involved from the offset. Each laboratory will be associated with local school systems where laboratory-tested techniques and programs can be tried out and evaluated on a large scale. This working relationship will also offer extensive means for demonstrating the effectiveness of tested techniques and programs.

Moreover by training teachers in the presence of these innovative activities, the laboratories will insure that the new generation of teachers will be prepared for new educational programs being developed and will themselves be open to experimentation and innovation. Teacher education does not take place in a vacuum. Practice and the lessons of trial and error are essential to teacher education. The laboratories will offer opportunities through model schools as well as through local school systems for student teachers to work with pupils under the supervision and guidance of experts. These "clinical" experiences are already part of present-day teacher education programs, but they fall short of the need in quantity and quality.

Title IV of the Elementary and Secondary Education Act of 1965 can bring about the types of change in our educational system which will produce quality in educational materials, excellence in teaching, and reawaken the wonder of learning in children. To bring this about requires the efforts of many good people already doing many important things—scientists, scholars, teachers, and others inside and outside of the educational community. It is necessary to provide the facilities and the means to allow them to work continuously on the critical problems in American education and to make certain that this information becomes available to the schools in the form of rigorously tested and carefully evaluated educational techniques and ma-

terials. It is no less necessary to insure a continuous supply of well-prepared teachers and qualified researchers to continue this important task. The national and regional educational facilities established under this title can be the means of producing these changes in American education. What is necessary is the courage to experiment, the willingness to learn, and faith in the future of American education.

Mr. GRIFFIN. Mr. Chairman, I yield 6 minutes to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, I rise to express my unhesitating support for the bill presently under debate, as reported by the Education and Labor Committee. I am privileged to have given bipartisan sponsorship to the legislation, having cointroduced the administration's bill and having presented a supporting case in its behalf to the committee. Now I welcome the opportunity to discuss it today.

We must all come to recognize the overwhelming importance of education to the spiritual and material well-being of every citizen. We can no longer afford to shirk this prime responsibility because of trivial argument or secondary considerations.

In this country, presumably the most powerful and wealthiest in the world, there are still 8 million adults lacking more than 5 years of schooling. In 1963, 10 States with the lowest per capita income had draft rejection rates from 25 to 48.3 percent on mental tests. In the age bracket from 18 to 24, the unemployment rate hovers at 20 percent of those willing and able to find work.

These statistics, and a host of others, mean that the onrush of technology and automation and population growth is leaving structural disadvantage in its wake. There is a direct correlation between low income, environmental poverty, and educational deprivation.

The one instrument which holds the greatest potential in meeting these penetrating problems is better education and greater access to it. This bill is an effective response.

Title I will authorize $1.06 billion to strengthen the educational fiber of economically deprived areas. The funds will be directed toward regions where families average less than $2,000 in annual income. School districts in these concentrations will be able to hire additional staff, construct needed facilities, acquire new equipment, and expend for other appropriate uses.

Title II recognizes the increasing need for more school library resources, more textbooks and other instructional material. We have testimony that nearly 70 percent of all elementary schools lack libraries at a time when more and more of the working day will be spent in libraries and laboratories. A curriculum which cannot provide for library reference is obsolete.

In this instance the lack of libraries and instructional matter is not felt in any one particular area of the country, but is widespread and general. Title II provides $98 million to States on the basis of the number of children enrolled; drawings are dependent upon the submission of detailed State plans outlining the programing of funds. State plans must set forth their criteria in distributing the library resources, textbooks, and other material.

This authorization is not intended for the advantage of any specific private institutions. On the contrary, the bill insures that the benefits will accrue directly to the schoolchildren.

Supplemental educational centers and services are offered under title III. Local educational agencies may apply to the Commissioner of Education for a center or certain services especially designed to meet the varying needs and interests of school localities. Such applications must be approved by the State educational authority; and $100 million is authorized under this title for fiscal year 1966.

Many communities are expending enormous sums on education, and all of them feel the budget strain. Title III is designed to allow school districts to effectuate programs and services which the local educational authorities deem essential to their school system, and which are currently overshadowed by budgetary demands. Title III is meant to provide services such as guidance, counseling, remedial instruction, and health programs.

The issue before us is whether or not we shall provide a meaningful complement to traditional State responsibility in this field of education. We know that education is becoming an essential ingredient to the potential of every citizen; we know that a gulf exists between the demands of the labor market and the lack of skills and basic education which is a growing disadvantage.

The long-term answer to cyclical poverty and regional depression must rest with coming generations. To widen the access to better education is indispensable in addressing this acute national problem.

Hence the benefits of this bill are going to be realized over a long range of time.

I urge the House to adopt this measure with a convincing majority.

Mr. GRIFFIN. Mr. Chairman, I yield 4 minutes to the gentleman from Illinois [Mr. COLLIER].

Mr. COLLIER. Mr. Chairman, since I have been a Member of this body there have been several variable formulas for Federal aid to education at the primary and secondary school levels. The distinguished gentleman from New York pointed out that the formula upon which this legislation is now based was the result of recommendations, and study by experts in the field of education, and of this I do not doubt. However, I think it is true that many of the same experts have over the years come up with many other different formulas including one which was a marked change. It failed because Federal aid to education became entangled in a web of religion and politics and consequently fell into a sort or an impasse. Now we have this new formula to seek to circumvent the problem of the separation of church and state which got the whole issue bogged in the political mire 4 years ago.

At any rate, that is not my main problem at this moment.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I am glad to yield to the gentleman from Michigan.

Mr. GRIFFIN. Mr. Chairman, I do not wish to argue with my colleague, the distinguished gentleman from Illinois, but I wonder if the pending bill actually does circumvent the church-state issue. The discussion we have had this afternoon, which has consumed most of our time, may be some indication that this bill does not avoid that issue. I wish to emphasize again that there are ways, notably the Ayres-Goodell-Curtis approach, under which we could provide education assistance to individuals—assistance which would preserve educational freedom, and under which there would be no constitutional question whatever. I would much prefer that approach.

Mr. COLLIER. I thank the gentleman. If the objection is to the semantics I suppose I might plead guilty. However, the point I make is that the religious issue was thoroughly involved. I recall so well when a parochial school amendment was offered to the Federal-aid-to-education bill about 4 years ago the Chair ruled that it was not germane. I merely wanted to make the point that they have found a partial solution, let us say, whether you call it circumvention or not. But, as I said before, that is not my principal concern as one who intends to vote against this ill-conceived bill.

I have heard repeated reference to the term "educationally underprivileged." And I would certainly like to get this in perspective if it is possible. And for this purpose let me, if I may, give a hypothetical case. I would welcome an explanation of this from any member of the distinguished committee that has brought this bill to the floor of the House.

Let us assume that we have district A in State X which has a 600-pupil enrollment. It has 30 pupils, or 5 percent of this enrollment, which comes from families with incomes of less than $2,000 a year. The school tax revenue in this district is entirely adequate to provide schools with excellent standards and facilities.

Now, on the other hand, let us take the example of district B in State X which has again an enrollment of 600 pupils. None of the pupils in this district come from families with annual incomes of less than $2,000, nor are they sons or daughters of people on welfare or relief.

Yet let us assume further that this particular school district has school tax revenues of less than the amount in school district A.

Now, do I understand that notwithstanding that the facilities are better, the tax income which makes it possible to provide better facilities, better teachers and so on in school district A still makes the 5 percent of these students educationally underprivileged; whereas,

the students in school district B where the tax revenue is less, where the standards and teaching perhaps are not as good, where facilities are not as adequte, are not educationally underprivileged children? Hence I just want to understand what an "educationally underprivileged" means.

Mr. PERKINS. If the gentleman will yield, there is no 5-percent provision in this title. We have a 3-percent provision and that only applies where the Federal Commissioner of Education has determined——

Mr. COLLIER. Since I have the floor, may I suggest to the gentleman that I have made a point here and I am sure the gentleman knows what the point is. This is a hypothetical situation and the percentage figure has absolutely no bearing on the question. There have been enough evasions today on this matter. I would think that at this late hour we could provide direct answers to the questions posed.

Mr. PERKINS. I regret that the gentleman did not want me to answer the gentleman's question.

Mr. COLLIER. That is just it. I do want the gentleman from Kentucky to answer the question.

The question was, In which instance is the particular youngster in the hypothetical cases which I have propounded educationally underprivileged?

Mr. PERKINS. The purpose of this bill is to reach the deprived youngster whether he is in a wealthy community or a poor community.

We feel that the youngster that meets the qualifications as provided in this bill deserves assistance wherever he may be.

Mr. COLLIER. I thank the gentleman, and I have no quarrel with this. But I would favor removing the term "educationally underprivileged" and say "the economically underprivileged," rather than deal in terms that are inaccurate as they pertain to this legislation.

Mr. BRADEMAS. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. DENT. Mr. Chairman, I rise to support H.R. 2362, the Elementary and Secondary Education Act of 1965. At this point, allow me to congratulate the author of this historic legislation—the distinguished gentleman from Kentucky—on his continued efforts to improve the lot of our educational system. Also, the chairman of the Committee on Education and Labor, the distinguished gentleman from New York, must share much of the credit for having this very necessary bill before us today.

Mr. Chairman, the idea of Federal aid to education is not a new one. The idea of allocating that aid on the basis of needy children, however, is relatively new. Little more than 1 year ago—on February 27, 1964—I introduced a bill to that effect. At that time hearings were conducted and investigations were made into the feasibility of such a concept. It was my intention to introduce a modified and improved version of that legislation in this Congress when H.R. 2362 was drafted and introduced. Let me say that my initial efforts are honored by this comprehensive package of promise. The gentleman from Kentucky [Mr. PERKINS] has, in this bill, provided an answer to helping the educationally deprived child; a child who, through no fault of his own, finds himself steadily falling behind other more privileged students. Aside from title I of the bill, action is also called for in an across-the-board devotion of attention to the long-neglected realm of education.

Since the thrust of H.R. 2362 is, in fact, title I, it appears the better part of wisdom to devote most of my comments to the provisions contained therein. At the outset, it must be well understood that there will always be controversy with any formula which attempts to define what is or is not an educationally deprived child. Total agreement here is impossible. What is important, and where controversy can be replaced with near unanimity, however, is the concept of aid to education for children of needy families—for this is the best available measure of educational deprivation. What is or is not a needy family is likewise difficult to ascertain in a generalized formula. This notwithstanding, H.R. 2362 does provide a reasonable guideline of poverty for the vast majority of our citizens' children. Such a guideline is critical for the purposes of this bill; and these purposes—being mainly the improved education of unfortunate children—cannot honestly be disputed.

Mr. Chairman, we have heard, and will continue to hear, onslaughts to this legislation. The minority professes to recognize a great problem in providing educational opportunities for deprived children and a commitment to meet those problems, and in the same breath, offers a substitute which would eliminate half of the educationally deprived children helped by the committee bill and reduce the funds devoted to their education by more than 70 percent.

Mr. Chairman, I daresay that most of us in this Chamber have some sort of alternative proposal. I have debated several in my own mind and before the Committee on Education and Labor; proposals which would not touch the concept of the aid, but which would—in my eyes at least—provide a more equitable distribution of the funds if, indeed, that is possible. In any event, let us on this occasion finally stand up to the problem our educational system faces. Let us resolve that our greatest natural resource is the young and impressionable mind; the mind which can lend itself to promise and opportunity—or the same mind which may find itself stopped short of even a trace of hope.

Mr. Chairman, from this resolution I ask all Members to at least consider the child benefactor of this bill; and to set aside petty grievances about supposed regional inequities. Consider that child whether he be in New York or California or Alabama or Oklahoma. He is still a child, and he is an American; and he has been born into a land of unfulfilled opportunity; and he is justly entitled to a chance at that opportunity.

Mr. PERKINS. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Chairman, I rise in support of this bill. I commend it without reservation as a good bill; a bill which pinpoints Federal assistance to the areas of greatest need—the educationally and culturally deprived pupils coming from the most impoverished of our families.

The gentleman from Kentucky [Mr. PERKINS], author of the bill, and the chairman of the subcommittee which is managing the proposal, has given an adequate and thorough description of the various title, so I shall confine my remarks to general principles.

I do, however, want to take this opportunity to commend the gentleman from Kentucky for his long persistence in this field, as well as for the diligence he displayed this year in presiding over the long public hearings, the difficult mark-up sessions of the subcommittee, and his defense of the subcommittee draft during full committee sessions.

We have something in common in the field of education legislation, despite the fact that we represent different constituencies; he a rural area in Appalachia, I an urban area in the northeastern megalopolis.

During his first term in the House he got his baptism during the fight to enact the Thomas-Taft bill, which was hung up on the church-state issue. In 1961 I was the sponsor of President Kennedy's elementary and secondary education bill. It, too, fell by the wayside because of the self same church-state issue.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Kentucky.

Mr. PERKINS. First, I want to compliment the gentleman from New Jersey because I do not know of any individual who has contributed more in this field. The gentleman from New Jersey has in past years actively supported general aid to education. I agree wholeheartedly with the gentleman from New Jersey and with the experience that we have both had in this field. We have seen too many outstanding elementary and secondary educational bills fall by the wayside because of the religious issue. I think the gentleman will agree with me that some of our old enemies of Federal aid are back again trying to kill off another great piece of legislation.

Mr. THOMPSON of New Jersey. I thank the gentleman for his contribution.

The gentleman from Kentucky [Mr. PERKINS] and I are both very sensitive to this issue. I am not positive about him, but if the dignity of this body permitted me to remove my jacket, shirt, and undershirt, I could show Members the scars to prove my sensitivity.

I have these credentials to speak on this subject and I have these scars because of my own personal and deep con-

victions on the sanctity of the first amendment.

On that basis, then, I can assure my colleagues that I support this bill, in all of its ramifications, wholeheartedly and without reservation. The bill as originally proposed was clear in its intent on this critical matter. The changes made in subcommittee, as reflected by the committee amendment, strengthened the protections which were clearly the intent of the original legislation.

During our hours of debate today, and, when we get to the 5-minute rule, Members will be expressing doubts, raising questions, voicing reservations. The effect—no matter how sincere they may be—will be only to muddy waters.

We shall also be hearing a great deal about the formula in title I. I myself am not too happy with it. I cannot devise one that is better. As the gentleman from Kentucky [Mr. PERKINS] has already pointed out, we are forced to use 1959 income data because there are no more recent data.

It is as simple as that.

Most of the arguments and dispute over the formula should not be directed to this bill. They should be directed to the appropriate subcommittee of the Committee on Post Office and Civil Service, headed by the gentleman from West Virginia [Mr. STAGGERS].

That subcommittee will, within the next few months, begin hearings on bills to authorize the mid-decade census. Such legislation has been cosponsored by a number of colleagues from both sides of the aisle.

I hope the members of that subcommittee, the full committee, and the House, properly interpret our formula debate as an argument in behalf of the mid-decade, "instant census."

I hope the Bureau of the Budget reads this debate carefully. In another year the Budget Bureau told this subcommittee that there was no need for a mid-decade census.

This committee alone has this bill now; last year we had the Economic Opportunity Act and will soon be revising it. We are spending billions and distributing them on the basis of income data that are 6 years old.

One other point, Mr. Chairman, before I conclude. We have given the local public school agencies every latitude in devising programs to improve educational opportunities for the culturally deprived children. In doing so we recognize and pay tribute to the principle of local control of education. We also realize that the program of greatest urgency in one area may not necessarily be of such urgency in another.

I would hope, however, that local school administrators would not overlook the great advantages of well-conceived and well-operated preschool programs, run by professional educators, just because we have not spelled out these programs.

Again, because we have not spelled out such programs—in fact the legislation does not spell out any specific programs—let it be a part of the legislative history that we intend the "instructional materials" phraseology of the bill to include those materials peculiarly suited to preschool training programs.

A review of the testimony we heard shows ample evidence that well-conceived preschool programs, especially for children from impoverished families, can do and have done much to enable these children to stay abreast of their classes in the learning process.

Again, Mr. Chairman, I enthusiastically support this bill. I think it is entirely defensible and I think it is a splendid opportunity for the Congress to do what it should have done many years ago.

Mr. GRIFFIN. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, I support fully the objectives of the President as far as hard-pressed school districts are concerned. Indeed, I have repeatedly said that I thought the only real long-range solution to our problems such as poverty and crime lies in education.

As to H.R. 2362, however, I am frank to say that unless certain amendments are adopted—which I understand will be offered—I cannot in all conscience support this legislation, in spite of the fact that many of my friends in education in the State of Washington have urged me to vote for the bill.

To begin with, I have grave misgivings as to the bill's constitutionality, and in this connection, I am hopeful that a provision will be added authorizing judicial review.

Nor am I happy with the basis of distribution of funds under title I. Unless this formula is changed, it will mean that many prosperous areas will receive disproportionate assistance, while districts with low-income families will suffer.

As to the bill, I think that we should face up to the fact that Federal assistance in this case would not be without cost to a State. According to the Tax Foundation, the first year's cost to Washington State taxpayers would be $18,600,000. Under various titles of the bill, we would receive back $12,718,444. Thus, we would receive back far less than we would contribute. But this is not my chief objection, and if certain amendments, as I said, are adopted—such as those that will be offered by the gentlewoman from Oregon [Mrs. GREEN]—I could look favorably on the legislation.

Meanwhile, I know that a great many of the constituents that I represent are fearful of this program. They view it as transferring too much control to the Federal Government and the Department of Health, Education, and Welfare. Second, they think that it would lead to straight out-and-out Federal aid to education, regardless of need, and regardless of poverty areas. Then, too, of course, there is the constitutional issue of separation of church and state.

Recently, I sent out a questionnaire on this bill. The question was worded for me by a political scientist. A preliminary tabulation of replies, showing the concern of the majority of my constituents, was as follows:

One proposal before Congress is that we spend $1½ billion to give aid to schools in low-income districts, provide school facilities, textbooks and the like. Supporters argue that providing a decent education for all American children now will pay substantial long-range dividends, and that expenditures of this size are necessary if we are to have anything more than a token program. Opponents argue that this could lead to Federal control of education, and that it is unconstitutional to give any form of aid to parochial schools. How do you feel about Federal aid to education?"

No opinion	0
Very much in favor (18 percent)	552
Somewhat in favor (13 percent)	350
Neutral (3 percent)	103
Somewhat opposed (25 percent)	730
Very much opposed (41 percent)	1174

Therefore, Mr. Chairman, as I have indicated, unless the House makes a number of changes in the bill, I shall be constrained to vote against it.

Mr. QUIE. Mr. Chairman, I yield 4 minutes to the gentleman from Utah [Mr. BURTON].

Mr. BURTON of Utah. Mr. Chairman, I had not felt constrained to join in this debate today until a few moments ago, when I heard the chairman of the subcommittee, the gentleman from Kentucky, say it was his great interest in this bill that needy students deserving of help be reached wherever they are, in rich communities or in poor communities. I want to ask him, if he will yield to me for a question, if he would extend this great desire to include students living in populous counties and communities and students living in not-so-populous counties and communities.

Mr. PERKINS. Let me say to the distinguished gentleman this bill reaches educationally deprived children regardless of whether they are in populous counties or rural counties.

Mr. BURTON of Utah. Perhaps the gentleman can clear up a point for me that appears in the committee print in this bill. When it has reference to the State of Utah, it has no amount allocated for 11 of the counties in that State, and I think 7 or 8 of the counties shown are listed as depressed counties by the ARA and eligible for their assistance.

Mr. PERKINS. If the gentleman will turn to page 1234 of the hearings he will find listed data on all the counties in the Nation, and the counties listed with less than 100, of course, are not eligible under this bill.

Mr. BURTON of Utah. It is my understanding that this figure eliminates 11 rural counties that I represent in the State of Utah. As I was about to say, I think seven or eight of these counties qualify for ARA aid as depressed areas. One of the reasons they qualify for ARA aid is that they are depressed areas, and over the years because of economic conditions they have been losing population.

I wonder if the gentleman would support an amendment to strike that limitation.

Mr. PERKINS. We feel this is a reasonable figure. The subcommittee felt the cutoff figure of 100 was reasonable. The measure of poverty in this legislation is the number of children in families of less than $2,000.

Mr. BURTON of Utah. Why do we have to have a cutoff mark?

Mr. PERKINS. From the standpoint of administration, we must have a figure that is reasonable.

Mr. BURTON of Utah. Is it not true that the State and the county school districts, the local officials, are going to administer the program?

Mr. PERKINS. Where we have census data, the payments will be made to the State agency for that particular educational agency, but where we do not have the data below the county level that determination will be made by the State board of education and not by the county.

Mr. BURTON of Utah. This is on the county level. I am talking about 11 counties. If the State of Utah wants to arrive at a formula it cannot distribute it to the counties. I understand that the gentleman said they are prohibited from doing this.

Mr. PERKINS. The gentleman misunderstood my answer. In those counties with fewer than 100 educationally deprived children, under the definition of children in families with incomes less than $2,000, there is no impact in those counties. I do want to state that approximately 95 percent of the 3,100 counties qualify for assistance under this act.

Mr. BURTON of Utah. I certainly disagree with that. I should like for the Chairman to see some of these counties. There is a very definite economic impact.

Mr. PERKINS. I believe the census data is the best and most reliable data we have available.

Mr. BURTON of Utah. I want to say that these areas are definitely economically impacted. They are definitely in need of aid, if aid comes to the State of Utah.

I certainly believe the administering agency for the State of Utah would like to see some of these counties get aid.

I would again remind the House that 7 or 8 of these 11 counties being excluded, qualify for ARA aid.

I assume, from what the chairman said, that he would not support this amendment. I take it from that he would have to amend his earlier statement that he wants to see this aid go to deprived students, whether in rich areas or poor areas. He would exclude those who live in the less populous counties.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Utah. I yield to the gentleman from Michigan.

Mr. GRIFFIN. I believe the gentleman has made an excellent point and he has demonstrated how unfair and inequitable the formula in the bill obviously is. The aid provided under this bill is not going to be based on whether a school district is able to adequately finance an educational program.

Montgomery County, Md., for example, is the wealthiest county in the United States, where the average income is approximately $10,000 per year per family; yet Montgomery County is going to receive more than a half-million dollars the first year for children who are already going to the best public schools in the United States. The advocates of this bill have not explained how the half-million dollars going into Montgomery County will be used to help the so-called educationally deprived children in Montgomery County, which already has adequate ability to finance its school system, at the same time.

This bill would omit, and would not include, depressed counties in the gentleman's State which do not have adequate financial ability to finance an educational system.

Mr. BURTON of Utah. And each of these 11 counties has been losing population. As I say, seven or eight have qualified under the Area Redevelopment Act, because of depressed conditions.

May I add, in conjunction with what my friend from Michigan said, each of these 11 counties has its own county district school administration program. They could administer the program just as well as Salt Lake County, the largest recipient of the aid under the bill.

I had heard that there was a consensus among some Members of this body that they would accept no amendments to this bill, however worthy they might be. This colloquy has indicated to me that that may be the case.

Mr. PERKINS. Mr. Chairman, I yield such time as he may consume to the Resident Commissioner from Puerto Rico [Mr. POLANCO-ABREU].

Mr. POLANCO-ABREU. Mr. Chairman, the bill under consideration is of crucial importance to the schoolchildren of Puerto Rico. When it was under consideration by the Committee on Education and Labor, I explained for the record that year in and year out the largest item in the budget of the Commonwealth of Puerto Rico has been for education. Twenty-five to thirty percent of the budget has regularly been devoted to educational programs. In 1940 this meant $7 million for the public schools, and for 1963 it meant more than $113 million, out of total revenues of $393 million. Yet, these sums were far from adequate to provide educational facilities and instruction by mainland comparisons.

I told the committee that in the sense of appropriating money for public schools in Puerto Rico the government has had to run fast just to stay even with the situation. Ours is a young population with the corresponding great percentage still of school age. Truly, it has been an enormous problem for Puerto Rico.

Despite our efforts to provide an adequate education, as we must, for our children, and with a school attendance compulsory only through the sixth grade, many of the children in the elementary grades are deprived of a schoolday such as is known generally by the children of the 50 States. We have both double enrollment and interlocking enrollment. Under the first of these, two groups of students share the same teacher, and she divides her time attending one group in the morning and the second group in the afternoon. Where present means require this division, the students gets only 3 hours of instruction per day. In interlocking enrollment, the same classroom is shared by two teachers; the first one uses it in the forenoon, and the second occupies it in the afternoon with another group of students. This procedure allows 5 hours of instruction per day.

Such multiple use of classrooms will have to continue in Puerto Rico until funds are available for the building of additional classrooms in sufficient numbers.

H.R. 2362, under the formula provided in title I, would contribute approximately $30 million to Puerto Rico's school system. It would provide more than one-fourth of the amount appropriated for education by the Commonwealth government in 1963. It would allow a tremendous improvement in educational facilities and in educational standards for Puerto Rico's children of school age. The reason for this is that there are approximately 488,000 families in Puerto Rico with incomes of less than $2,000 a year. This amounts to 60 percent of the Puerto Rican families who regrettably are in this low-income category.

In my opinion, no single piece of legislation which has ever come before the Congress could mean as much as the bill before us now, in terms of creating opportunity for the children of school age in Puerto Rico, both now and in the years ahead, and no bill has had such significance in the sense of building a foundation for a better, sustaining, and contributing citizenry of tomorrow.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK. Mr. Chairman, what is being tested today is this country's determination to recognize the importance of basic education as an arsenal of national strength. We have committed ourselves to the recognition of the importance of education to our national welfare in the field of higher education, in vocational education, in the sciences and mathematics. What is being discussed today is whether this Nation has a sufficient interest in the basic education of our young children in the primary and secondary schools across America. Does this Nation have a concern whether our children are receiving an education commensurate with their specific needs? And if an area of particular need is recognized as being general and uniform throughout this country, is this need being adequately met by any national program and indeed by any State program?

It has always been my belief that the single most important institution in a free and democratic society is its centers and systems of education. Through education, and education alone, a society is able to perpetuate itself, its ideals, its goals, its aspirations, its traditions and its culture. Education is not merely an instrument of the perpetuation of knowledge or the promulgation of technical data and methods. Rather it is a process by which a highly organized society transmits to its new citizens an understanding of a way of life, motivates them to create better ideas, and encourages the utilization of the greatest potential of an individual through the discovery of latent qualities. Without a highly developed educational system any society suf-

fers in a diminution of the discovery of human potential. And even in a highly developed educational system often the individual needs of large segments fail of special attention because of the sheer weight of the size of the system and the numbers of children involved in this total process.

No one doubts the fact that children of the very poor families who live in the slum tenements all across this country suffer mentally as well as physically from this deprivation. Their family life is all but a vacuum of daily subsistence. There is no family effort or ability to supplement the young child's mind with the wonders of learning and the child is handicapped from this accident of birth for this socioeconomic disability which in most cases continues on as a fetter upon his whole future development.

The main thrust of this bill is to help give this kind of child, wherever he might be found, special help through programs initiated by the local school agencies.

So many of us enthusiasts for general aid to education have been struggling in our own local school areas to upgrade education generally. We have seen our efforts to produce substantial gains in achievement and in a higher quality of the educational product discouraged by proliferation of local meager resources into high cost areas of special education for special problems.

The greatest feature of this bill is its fundamental thesis; that special attention and programing need to be conceived to help the children of our economically deprived families. This bill commits $1 billion, roughly only 1 percent of the national budget, to this program of special aid to the educationally deprived youngsters of our country. Many educators tell us that these poor children often take 2 to 3 years after entry in the first grade to acquire the background of knowledge which most 6-year-olds bring with them when they first enter school. This bill will help to close this gap and give these children supplemental services to make up for the early years of intellectual deprivation. So much of our problems of the older child, of the dropout, of the undereducated, of the unskilled is rooted in our lack of care and attention during that child's early and formative years when it might have such a difference in his development, in his outlook, and attitude toward his ability to succeed.

I recognize that this is not a general aid bill and because it is not, it leaves much more for the future Congresses to consider. What it is is a first step, long overdue, toward the enactment of a comprehensive aid to primary and secondary education. So far as I am concerned the only general principle it establishes is the role of the National Government in the special concerns of basic education, and a commitment of a small part, at least, of our national wealth for special educational programs for our youth.

The special problems of a child from a poor family create special burdens upon the school system and upon the teachers who are called upon to devote extra effort for these children, sometimes at a sacrifice of others in the classroom. This program of special attention to these poor children will undoubtedly have impact upon the quality of education of others not directly affected by the bill. With special teachers for these underachievers, with supplementary instructional materials, with preschool training programs, with remedial programs in the basic areas, and with increased guidance facilities for these poor children, the total school population will benefit greatly by equalizing the range of competitive effort in the classroom. It is the beginning of a broad program of equalizing educational opportunity, so that the real talents and capabilities of the child can be discovered and encouraged to its ultimate potential.

The power of America lies in its human resource. This bill embodies the spirit and philosophy of our way of life, that each human being has the capacity of greatness. That in helping the poor child, this Nation sets forth its basic belief of the individual worth of man and his innate ability to contribute to our society, and that the poor need not continue to be poor, but that through education they may be liberated and their human power released for the betterment of the total society.

I urge my colleagues to support this bill, and to participate in this historic development of the enlargement of opportunities for millions of our deprived and disadvantaged children.

Mr. MATSUNAGA. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of H.R. 2362. The bill we are considering is a potent instrument in the eradication of poverty and its attendant ills.

It is an accepted fact that poverty tends to beget poverty. When a child rises above his impoverished surroundings, obtains a good education, and makes something of himself, his is called "the American story." We respect and admire such a person and give the story of his life wide publicity. And this is as it should be. We all love to hear about an individual who succeeds in spite of adversities in childhood.

If we have ever wondered about the fate of his poverty-stricken contemporaries, we have in the past quickly dismissed such a troublesome thought with the rationalization that it was not our concern.

But facts have been brought to our attention which show that it is our concern, the concern of the Congress, the several States, and of the Nation. Over 8 million adult Americans have completed less than 5 years of school. There is a 20-percent unemployment rate among our 18- to 24-year-old youngsters. Draft rejection rates in 10 of our States because of basic educational deficiencies ran as high as 25 to 48.3 percent in 1963. These and other similar facts are especially disturbing in the light of technological developments of recent years and their resultant demand for the skilled and the educated.

The proposed legislation dramatizes our national concern over this problem. It provides a remedy that is at once immediate, effective, and permanent. That it will have consequences reaching far into the future is apparent. Let us hope that by correcting educational deficiencies among children born to poverty, we will place within their grasp the tools that will enable them to live "the American story."

Mr. Chairman, I wish I were rising in support of this bill purely on its theory. I must confess, however, that I have more than a theoretical interest, for even in our so-called "paradise of the Pacific" conditions of poverty do exist as in other parts of the United States. We are further handicapped by a very high cost-of-living index. In a sense, therefore, Hawaii has many disadvantaged children who come from families with annual incomes which exceed the $2,000 set as the qualifying criterion. The bill ought to, but does not, provide for this differential.

However, in order to secure early passage of this bill, which is a giant stride in the right direction, I am prepared to accept the formula recommended by the Committee on Education and Labor in determining the amounts of grants to local public school districts. It is noted that title I has as its purpose the broadening and strengthening of public school programs in the schools where there are concentrations of educationally disadvantaged children. Hawaii will receive under this title an estimated amount of $2,127,585. Only six other States will receive a lesser amount.

Under title II, which provides for school library resources, textbooks, and instructional materials, Hawaii will receive an estimated $391,124; and under title III, which provides for supplemental educational centers and services, Hawaii's allocated grant is estimated at $530,441.

Finally, of the $25 million to be distributed under title V for the strengthening of State departments of education, Hawaii's share is estimated at $159,850.

These amounts may appear small in comparison with those which some of our sister States, California, for example, will receive. But let me assure you, Mr. Chairman, that this program is just as important and just as necessary in Hawaii as it is in any other State.

The President has called the attention of this Congress to the declaration of the Continental Congress in the Northwest Ordinance of 1787:

> Schools and the means of education shall forever be encouraged.

The legislation now before us, the Elementary and Secondary Education Act of 1965, represents a significant modern application of that declaration. I urge a favorable vote on H.R. 2362.

Mr. MINISH. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MINISH. Mr. Chairman, I would like to lend my most earnest support to the Elementary and Secondary Education Act of 1965 and to urge its passage. Our Nation is sorely in need of the assistance provided in this measure to strengthen and improve educational quality and educational opportunities in our elementary and secondary schools. Our young Americans need the vitalization of challenging instructions from which they can learn to meet the challenges of tomorrow.

It has long been a national goal that every American should receive education through the high school. The United States has been pacesetter for the world in this regard. Yet, as we approach this goal, it becomes apparent that it is not enough to meet present and future demands. It is not enough to reach that goal if we forsake excellence along the way. But why must we give our attention to these escalating goals? Why is education so important?

The answer lies in what we are coming to understand as a new definition to the word "freedom." There are many facets to freedom, but most importantly freedom is a personal quality. A man really free is capable of basing his actions on understandings which he himself achieves, on personal values—self-embraced. One is free only to the point that he understands himself, his surroundings, and his relationship to his society.

And the main restrictions to freedom are prejudice and ignorance.

As life grows in complexity, the ideal becomes a practical necessity. Thus, there are both idealistic and practical reasons that every man should have an opportunity to achieve that which will free his mind.

But freedom is not automatic—it is possible only for the individual who makes it a reality by his own efforts. Society sparks these efforts through its primary tool—the school.

It is obvious that programs dealing with poverty, education, and race relations are all overlapping and interlocked. I, however, agree with Walter Lippmann when he said:

> They will come to very little until there builds up behind them a mightily consensus, similar to that which now supports the national defense.

This war which we are undertaking will unfortunately be a long one. But there is one great difference in this type of war, as Mr. Lippmann pointed out. It will not be a war which will make our country poorer, but rather one which will enrich us in every way.

We have come to realize that the problems of poverty and education are two sides of a single coin. The modern industrial society of today needs the knowledge and skill of the educated man and woman. Conversely, the uneducated enter a labor market in which the unskilled are less and less in demand. This is glaringly evident in my own State of New Jersey, which is one of the most dynamic States in the Nation. For those who have the requisite preparation jobs are available at high rates of pay. But unemployment is alarmingly high among youths who have failed to complete high school. The international known economist, Gunnar Myrdal, has pointed out:

> The unemployment situation that is fastening itself upon the Nation, and the creation of an American substratum of people that have not the education and training necessary to integrate themselves in progressive American modes of life and work, challenge the very tenets of American society.

If we are to correct the serious problems in our society, we must provide equalization of educational opportunity and increased quality of education at all levels. We must insure that every young American can acquire the training needed to take a useful and rewarding place in our society. The legislation before us today will help our schools become a vital factor in breaking the poverty cycle by providing full educational opportunity to every child regardless of economic background.

The notable 1964 Democratic platform on education recognized that money spent for education is not really an expenditure but "the surest and most profitable investment a nation can make."

I believe that the national defense and welfare depends largely upon the best possible education of all Americans. A larger investment in education is the only insurance of this purpose. And Federal sharing of the additional expenditures is absolutely necessary.

The Federal Government has been involved in the support of education for a long time. Even before the adoption of the Federal Constitution, in the Survey Ordinance of 1785, the National Government provided:

> There shall be reserved the lot No. 16 of every township for the maintenance of public schools in each township.

Later, the Northwest Ordinance of 1787 emphasized the principle that education of the people must be a requirement for the continued existence of a democratic society.

We are all familiar with the great contribution by the land-grant college system to the development of our country, of the Vocational Education Acts of 1917, the GI bills, and the National Defense Education Act. The Federal role in giving aid to education has been an accepted and legitimate part of our history for almost 175 years. Each activity was legislated not merely as an experiment but to meet definite needs only when other remedies were inadequate. Each program has been administered without evidence of Federal restrictions on academic freedom. Time and again, the intention to avoid anything that involves or even implies Federal control of curriculums, methods or administration is reiterated. The National Defense Education Act declares:

> The States and local communities have and must retain control over the primary responsibility for public education.

To properly carry out this responsibility, the States and school authorities must have greater financial means than they presently possess.

To open up the horizons of learning to our underprivileged children is in many ways more thrilling than the conquest of space. Each title of the measure before us is needed to utilize our total capabilities in education, including the best available personnel and techniques and a maximum use of modern instructional technology. I should like to stress the importance of the school library in extending and enriching the school curriculum. The library is considered by many experts to be the heart of the school, and there is abundant evidence that quality in school library programs is directly related to academic achievement, to remaining in high school, and to continuing in college. Title II of the Elementary and Secondary Act will be of inestimable value in supplying all our children with well-stocked libraries and up-to-date textbooks and related materials.

So long as American children lack competent instruction, American education is not serving these United States. It is our duty to provide Federal assistance in improving our educational system so that all our children can enjoy essential educational services. Our goal must be, in the words of President Johnson, to "give every child education of the highest quality that he can take." Let this decade be remembered, as the keen observer of history, Arnold Toynbee, said, "as the time when mankind spread the benefits of their civilization to all men."

Mr. CLEVELAND. Mr. Chairman, I ask unanimous consent that the gentleman from Arizona [Mr. RHODES] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. RHODES of Arizona. Mr. Chairman, as chairman of the Republican policy committee, I rise in opposition to H.R. 2362.

This bill, advertised as an attack upon the problems of educationally deprived children, is, instead, an assault upon State and local control of education.

Its true purpose is the authorization of general Federal aid to education without regard to need. Its clear intent, in the language of the admirable minority views contained in the committee report on the bill, "is to order a different power structure in education by a dramatic shift of power to the Federal level."

Title I of the bill, which authorizes an annual expenditure of $1 billion for 3 years, purports to lend assistance in solving the problems created by educational deprivation among children of low-income families. However, the formula for distribution of these funds is unsound and results in a situation in which some of the wealthiest counties in the Nation would receive more funds than some of the poorest counties.

Montgomery County, Md., for example, with a median annual income of $9,317 per family is the wealthiest county in the entire Nation. Only 2 percent of its school-age children are from families having an income of less than $2,000, the amount used in the definition of a family whose low income creates educational

deprivation among its children. Under the formula used in this bill Montgomery County would receive $572,000 for use in eliminating educational deprivation.

Tunica County, Miss., with a median family income of only $1,260 per annum is the Nation's poorest county. Over one-half of all its school-age children come from families with less than $2,000 annual income. Yet, it would receive only $357,000 under this bill. Unfortunately, inequalities of this nature abound in the bill.

Title I appears to leave approval of local programs for educationally deprived children to the State education agency, where such power belongs. However, almost hidden in the language of the bill is the power of the U.S. Commissioner of Education to require that such approval be consistent with the basic criteria established by him.

This, in reality, deprives the State agency or local school authorities of any real power to shape the programs to meet local needs. This centralization of power runs throughout the entire bill.

Title II of the bill authorizes some $100 million for the purchase by the Federal Government of textbooks and library materials. Although the choice of textbooks is left to the localities where it belongs, no language can guard against subsequent Federal controls. By creating a dependence upon the Federal Government, no matter how minor it might be initially, for the purchase of textbooks and school library materials, the possibility of Federal control over the choice of these textbooks and materials becomes a clear danger.

Title III authorizes $100 million annually for 5 years for the establishment by the U.S. Commissioner of Education, under terms and conditions laid down by him, of model schools at the local level by a direct grant of 100 percent of the cost to a local agency selected by him. A State government would have no control over the operation of such schools and its educational agency would only be authorized to make recommendations concerning them.

In plain language this section would permit the establishment anywhere in the Nation of a separate school system of Federal-local schools responsible only to the U.S. Office of Education.

Here again we have the empty provision for local origination of requests for the establishment of such schools but also we have the power vested in the U.S. Commissioner of Education to set forth the criteria required to meet his approval.

Titles IV and V of the bill permit long-term support for educational research and demonstration centers selected by the U.S. Commissioner of Education and grants to State agencies for hiring additional staff and improving services and further authorizes personnel exchanges between the Federal Office of Education and State departments of education.

Coupled with the provisions of title III, title IV would aid in developing new methods, new curriculums, and new instructional material and texts which would then be fed into the schools through the local-Federal system of schools.

This represents a double attack on State control of education and it is aimed squarely at the essential elements of any school system: Curriculum, course content, methodology, instructional materials, and professional standards for teachers.

This double approach to the firm establishment of the Federal presence in education would be buttressed by a more extensive subsidization of State education agencies. Funds under title V would not be matched by State funds, thus assuring a continuous reliance by State agencies upon the Federal subsidy.

If this should not be sufficient to induce a subservient status, a regular interchange of personnel with Washington should complete the work of making every State department of education a branch of the U.S. Office of Education.

In view of the many and serious deficiencies of this bill, and the clear dangers it poses to traditional State and local control of education, the Republican policy committee of the House of Representatives has gone on record as being opposed to the enactment of H.R. 2362 as it is presently written. It is our hope that this well-meaning but misguided bill will be rejected so that a measure that will meet the growing educational needs without Federal interference or any constitutional problems may be enacted. Such a bill has been developed by the minority members of the Education and Labor Committee. It would return revenue sources to States, localities, and institutions by means of tax credits and payments to individuals who are meeting the costs of education. I urge that H.R. 2362 be rejected so that this bill may have prompt and thoughtful consideration.

Mr. ADAMS. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois [Mr. ROSTENKOWSKI] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ROSTENKOWSKI. Mr. Chairman, I rise to support H.R. 2362, the Elementary and Secondary Education Act of 1965. The success that this Nation enjoys today as a world leader has resulted from the sweat and toil of pioneers who labored to establish our place in the world. But the economic and scientific progress of the United States resulted from eagerness to learn, to explore, to create. This thirst for knowledge developed the talent that was needed to move us forward to new heights. It is this thirst for knowledge that will determine how we fare in the future.

We can be very proud of our success in educating our young. We enjoy an enviable position in the world by developing an educational system second to none in the world. But this Nation has not yet reached a position where we can sit back and pat ourselves on the back for achieving a perfect system, for there are areas in this country where we are woefully neglecting the young students of today for failure to provide them with proper facilities, the necessary instructors, and the books they need to satisfy their thirst for knowledge. I might add, a much stronger thirst for the world of today is a world of science, where each day new doors are being opened to vast spaces of the unknown. Spaces that beg to be explored and developed so that man can and will enjoy a more fruitful and longer life.

The world that we know today developed from the fire age, the stone age, the iron age, and now the space age. Who can say what lies ahead in the future and what new ages will develop. The one thing we are certain of is the rapid acceleration of development and the need for developing the young minds must be just as rapid.

Yes; we have a good education system in this country, but the question we consider today is not how good this system is, but what is lacking to insure all the young that they will be given every opportunity to develop their minds to meet the challenges of the new ages of tomorrow.

Yes; we have a good education system in the United States, but it is disturbing to know that "there are concentrations of educationally disadvantaged children." When you think of the low-income families in these United States who cannot upgrade themselves because they lack the necessary education to improve their way of life; when you consider the number of young able men in this country who are rejected for military service because they fail to meet the minimum standards of basic mental aptitude, due to the lack of proper education; and when you consider the number of school dropouts because of environmental conditions and inadequate educational programs, then, gentlemen, we can realize the urgent need for developing a program for expansion and improvement of local schools to meet the education needs of children of low-income families, for it is in these areas that we fail.

No, gentlemen, we cannot pat ourselves on the back for a wonderful educational system as long as there are children who are unable to take advantage of what this system has to offer because they happen to reside in school districts which lack the income-producing families to provide the necessary financial support for proper programs, techniques, equipment, and buildings. Unless Federal aid is given immediately to these areas, we will face a much graver problem of poverty in the United States in future years. A problem that will require a great deal more of Federal aid to resolve because uneducated people will be unable to meet the everyday challenges in a more modern world.

I could stand here all day citing facts of the disadvantaged child in mastering school work, of his chance in 1,000 to acquire effective learning habits without the benefit of proper elementary and secondary education, of the rate of increase in elementary school enrollments, which will magnify the problem with each passing year, and the burden facing this country if we do not provide proper

education for the young, for we will have to provide for their needs in later life because they are not educated to become self-supporting. These are the facts revealed from Committee hearings. Facts that cannot be ignored or taken lightly.

The bill before us is the result of these facts that are now public record. We will provide grants for local school districts, grants for textbooks and school library materials, grants for local educational centers and services, grants to State departments of education, and a network of regional education centers. It is a good bill, one designed to meet the needs of today for meeting the problem now under consideration. I congratulate the Committee for their excellent work in reporting a most comprehensive bill.

As Benjamin Franklin once said, "An investment in knowledge pays the best interest," so we here, today, can make that investment by approving the legislation now under consideration.

Mr. CLEVELAND. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and include extraneous matter and excerpts of views by Republican Members.

The CHAIRMAN. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. GOODELL. Mr. Chairman, I wish first of all to express my profound disappointment that this bill is not designed to meet the needs of educationally and economically deprived children.

We favor:

A program of cooperative action with States, conducted in school districts having a high concentration of deprived families, which concentrates on helping educationally deprived children at an early age to overcome the handicaps that consign them to failure in school.

Federal action to return revenue resources to States, localities, and institutions by means of tax credits and payments to individuals who are meeting the costs of education. In this way we can meet growing educational needs without Federal interference or any constitutional problems.

A determined effort to consolidate and simplify the myriad Federal programs in education which overlap and duplicate each other, and which are the cause of increasing confusion to our educational system.

We oppose—

Further concentration of educational decisionmaking in Washington in derogation of State, local, and private responsibility for education.

Federal action in education which bypasses States to work directly with local public schools, or which bypasses educational agencies to assign program responsibility to social welfare groups.

The continued proliferation of Federal education programs which do not result in improvements in the quality of education or in extension of educational opportunities.

DEFICIENCIES OF H.R. 2362 SUMMARIZED

First. The distribution of funds would be extremely wasteful and inequitable, with the wealthiest counties in the United States receiving millions of dollars in Federal aid, while some of the poorest areas would receive very little.

This bill is a thinly veiled attempt to launch a general Federal aid to education program by means of a spurious appeal to purposes which it would not adequately serve. It manages to incorporate the worst features of general aid with the worst features of specialized aid, while dispersing limited funds to 90 percent of our school districts without regard to need.

Second. The most urgent needs of educationally deprived children virtually are ignored, and only one of the bill's six titles even mentions deprived children; the oft-repeated description of this bill as "legislation designed for impoverished children" is wholly misleading.

Third. This bill contains very dangerous provisions which would permit the U.S. Commissioner of Education to establish Federal-local schools and facilities without the approval of a State education agency and financed 100 percent with Federal funds. This is the most direct and far-reaching intrusion of Federal authority into our local school system ever proposed in a bill before Congress.

EFFORTS TO IMPROVE THE BILL REJECTED

More than a score of amendments were offered by Republican members in the committee to clean up the worst features of this bill; with the exception of minor technical amendments, they were all rejected by the majority. These amendments would have:

Eliminated the very wealthiest counties from the benefit of Federal funds, thus concentrating assistance in urban slum and poor rural districts;

Focused every title of the bill on programs for educationally and economically deprived children;

Required State approval of Federal-local schools and facilities, or at least require that they be operated in accordance with State law.

Criticisms have not been limited to Republicans. A number of majority Members have expressed publicly their consternation over the distribution of funds and other aspects of this bill, but to no avail. This bill—and its hasty consideration by our committee—exemplifies a deeply disturbing tendency of the present administration to put politics above all considerations of national policy. This is a shocking attitude, particularly when it is applied to our schools.

ANALYSIS OF EDUCATIONAL NEEDS

At the outset, we wish to stress the magnitude and the urgency of the problem of educationally deprived children. We have in our midst, generally concentrated in urban slums and rural backwashes, several million children who have little hope for an education that will equip them for a constructive place in our society. Without special help at an early age, a large percentage of these children become school failures, dropouts, delinquents, and consigned permanently to poverty. This is a growing national problem and should be a major concern of our National Government. The causes of the problem are many and complex, and most are not rooted in our educational system. However, there is an impressive body of evidence that our schools can overcome this condition if they attack early enough in the life of the child. Despite expert testimony before our committee on this and prior occasions, this bill virtually ignores that evidence.

We intend to examine the evidence that the causes of this "social dynamite" can be overcome, and to make a practical proposal for Federal assistance in adequate measure to reach this objective.

Any intelligent examination of the merits of this bill—which pours funds into 90 percent of our Nation's school districts—must begin with a review of our current status in educational finance. We regret that this elemental task is left to the minority.

THE CRISIS OF 10 YEARS AGO

By 1955 the whole Nation was awakening to a prospect which had alarmed educators and informed laymen for several years—the postwar "tidal wave" of children was beginning to engulf the schools. The schools were not prepared for it; years of depression and war had left a huge backlog of construction needs, and, even worse, teachers were in short supply. Teachers had to be found from a generation of relatively fewer numbers of young people and of lower college enrollments, and salary scales were not competitive.

The simple arithmetic of the situation was frightening. Elementary and secondary school enrollments had remained stable at about 28.5 million since 1930; now they would increase by 50 percent in the 1950's. The increases would not begin to level off until late in the 1960's.

Most informed observers did not believe that this situation could be endured without a massive infusion of Federal assistance. The tone of President Eisenhower's 1955 White House Conference on Education was one of deepest concern. It concluded that educational expenditures would have to be doubled within 10 years if we were to escape a crippling debacle.

A 1958 study of the Rockefeller Bros. Fund, "The Pursuit of Excellence, Education, and the Future of America," typified careful analysis of the time. It warned that educational expenditures—in constant dollars—would have to be doubled by 1967, and would have to amount to 5 percent of a $600 billion gross national product, as opposed to the prevailing 3.6-percent level of 1958. The report painted a gloomy picture of the prospect that this could be accomplished largely with State and local effort. It characterized State and local tax systems as "in some respects archaic" and criticized the real property tax for being "notably laggard in its response to rising income." The report noted that it is "weakness in the State and local taxing systems more than anything else that gives rise to current proposals for increased Federal support of education."

DECADE OF EXTRAORDINARY PROGRESS

Since the percentage of educational revenues derived from Federal sources in these years has remained constantly under 5 percent, the challenge of the past decade has had to be met by State and local effort. The results speak for themselves.

While elementary and secondary school enrollments have increased by 44 percent since 1954, expenditures have increased 77 percent to nearly $24 billion annually. Between the fall of 1953 and the fall of 1963, for which we have the last reliable data, our national investment in all levels of education, school and college, public and private, more than doubled, to a total of $32.6 billion. These figures are in constant 1961–62 dollars. In short, we have done the "impossible" thing demanded of us.

These are not isolated or "trick" statistics. Our expenditures per pupil in average daily attendance in public schools—again, in 1961–62 dollars—rose from $296 in 1953–54 to $444 in 1963–64, a 50-percent gain; the number of teachers in all schools increased by 55 percent; pupil schoolteachers' salaries, in stable dollars, have increased 43 percent—over 60 percent in current dollars, as opposed to an increase of 44 percent for all wage earners. Since the fall of 1954, we have invested over $30 billion in public school construction, and built nearly 700,000 classrooms. The number of pupils per classroom and of pupils per teacher have steadily decreased.

Only 4 years after the 1958 Rockefeller Fund report was published, our gross national product had increased by $110 billion—to $554 billion—and total educational expenditures exceeded 5 percent of that figure. In short, we were several years ahead of the goal set for 1967.

No such dramatic improvement could reasonably have been foreseen in 1955. The "notably laggard" property tax, for example, yielded $10.7 billion to State and local governments in 1955, and $19 billion in 1962, an increase of 78 percent—State and local revenues from all sources rose 80 percent. A 1962 report of the Advisory Commission on Intergovernmental Relations noted that:

> Since World War II the property tax has been exhibiting a vitality and a capacity for growth unanticipated by even its most partisan supporters.

We can face the future with confidence after this massive effort, which required overwhelming public support and, significantly, public dedication to the benefits of education. In the decade ending in the fall of 1963, elementary and secondary school enrollment increased 45 percent, as opposed to a projected 13 percent in the decade ahead. This should be an increase easily managed without a notable increase in effort. Normal economic growth should accommodate future needs.

These bare statistics do not in any way take account of dramatic improvements and experimental breakthroughs in the technology of instruction, or in our improved knowledge of the learning process. On the other hand, they should not be utilized to conceal the emerging problems and the unfinished tasks confronting American education.

The Soviet sputnik in the autumn of 1957 served to arouse the American public to some significant weaknesses in the quality of our education, as well as to the possible consequences of such weaknesses. We at once responded in impressive fashion, and with widespread and continuing results.

There is no Soviet earth satellite to galvanize our will to overcome the challenge of rising juvenile crime, youth unemployment, and the dangerous social alienation of youth in urban and rural slum environments. Nevertheless, the national concern for this complex of problems has found expression through an abundance of recent legislation, for the most part aimed at attempting to salvage young people after the damage has become obvious. It is time we turned our attention to preventing the damage from being done.

This is one standard by which the programs proposed by H.R. 2362 must be measured. Another vital consideration should be the ultimate consequences of those programs for valuable principles and relationships which undergird our remarkable system of public and private education. The analysis of the bill relates to these standards.

TITLE I—AID TO LOCAL SCHOOL DISTRICTS

Title I contains the bulk of the funds—$1 billion in the first year—and purports to follow the outline of the federally impacted schools legislation to which it would be attached. The amount of money available for a school district, or for a county, depending upon the availability of data, would be based upon the number of children in families having less than a $2,000 annual cash income. This number would be multiplied by one-half the State average per pupil expenditure for elementary and secondary education to get an amount of funds for each district or county. The funds are then directed to be used in "attendance areas" having a high concentration of low-income families.

The catch in all this is that a school district need have only 10 low-income pupils to qualify in some cases, and a county need have no more than 100 such pupils. The result is that the funds would be dispersed widely among 94 percent of the Nation's 3,000 counties. The wealthiest, having relatively few children of poverty, would be "cut in" on the benefits without appreciable effect on the problem.

The absurd distribution of funds resulting from this formula is shown by the following table:

Administration's school-aid bill—Federal funds for the wealthy

County and State	Family income data			School-age children		1st year funds under administration bill
	Median income	Under $3,000 (percent)	$10,000 and over (percent)	Number in families with less than $2,000 income	Percent of all school-age children	
United States	$5,660	21.4	15.1	4,911,143	11	$972,700,000
10 wealthiest counties:						
Montgomery (Maryland)	9,317	5.5	44.6	2,343	2	572,864
Arlington (Virginia)	8,670	6.0	38.6	1,347	4	235,725
Fairfax (Virginia)	8,607	5.8	37.8	1,994	3	348,950
Du Page (Illinois)	8,570	5.9	36.0	1,853	2	443,794
Marin (California)	8,110	8.8	33.4	1,278	4	338,670
Westchester (New York)	8,052	8.0	36.3	6,210	3	2,189,026
Bergen (New Jersey)	7,978	6.4	32.1	4,631	2	1,315,204
Union (New Jersey)	7,746	7.8	30.5	3,743	3	1,063,012
Montgomery (Pennsylvania)	7,632	7.4	30.7	3,535	3	857,238
Fairfield (Connecticut)	7,371	9.3	29.1	5,629	4	1,553,604
Total eligible children				32,563		
Total funds						8,918,087
10 poor counties:						
Grant (West Virginia)	2,437	64.0	3.0	833	35	124,950
Falls (Texas)	2,287	60.6	4.0	2,233	41	432,086
Sunflower (Mississippi)	1,790	68.1	3.9	6,184	42	745,173
Knox (Kentucky)	1,722	70.5	1.7	3,137	39	470,550
Texsas (Louisiana)	1,683	70.9	3.3	1,651	41	329,375
Williamsburg (South Carolina)	1,631	68.3	2.5	6,118	41	810,000
Sumter (Alabama)	1,564	72.3	2.7	2,790	43	390,600
Holmes (Mississippi)	1,453	72.0	2.8	4,453	52	547,432
Breathitt (Kentucky)	1,432	76.0	2.0	1,998	39	299,700
Tunica (Mississippi)	1,260	77.8	3.7	2,965	54	357,283
Total eligible children				32,452		
Total funds						4,507,149

Sources: U.S. Department of Commerce, Bureau of the Census, "County and City Data Book"; Committee on Education and Labor, House of Representatives, "Education Goals for 1965" (committee print), pp. 65–126.

Mr. Chairman, these weird consequences stem from the political decision to spread the funds as thinly as possible by establishing entitlements county by county. Were the funds allotted to the States (the normal procedure in Federal grant programs), it is inconceivable that any State would pour the funds into its wealthiest areas. Surely the State agencies in New York and Maryland, for example, would take funds earmarked by this bill for the well-financed schools of Westchester and Montgomery Counties and use them in central Harlem and Baltimore, if they had any choice in the matter.

Administration spokesmen allege that the less wealthy States get more funds per pupil if the funds are spread among all the school-age population. This is irrelevant, of course, in a bill supposedly designed to improve schools in impoverished areas. However, even that argument fails. Texas, Maine, and Florida,

for example, have approximately equal per capita incomes—which is often used as one index of State ability to support education—yet this bill would give Texas twice as much per school-age child—$31—as Maine would receive—$15—and half again as much as Florida would receive—$21.

Inequalities such as this abound in this distribution scheme. The main point, however, is that no sane program to improve schools serving large numbers of deprived children would pour limited funds into the wealthiest areas of every State in the Union, where most children, rich or poor, already attend the best schools money can by.

THE POLITICAL REASON FOR A FOOLISH FORMULA

There is one simple political reason for administration insistence upon a patently foolish formula for distributing funds. Experience with the federally impacted areas legislation proves that once an area, however wealthy and self-sufficient, obtains a vested interest in Federal school aid funds, it will join a powerful lobby for the continuation of those funds.

Last year the Federal Government poured over $4 million of "impacted" aid into Montgomery County, Md., a suburb of Washington, D.C., which has the highest median family income of any county in the Nation. Nearly one-half of its families in 1959 had an income of $10,000 or more. Next year, under this bill, an additional half million Federal dollars would go to Montgomery County to fight "poverty" in its schools.

If we enact this bill in this form—as the administration insists—these inequalities and absurdities will be a permanent feature of a permanent program which is unrelated to financial or educational need.

A DISMAL DECISION

The uses to which these scattered funds may be put are set forth imaginatively as construction, acquisition of equipment, and for "special programs." The one proven need and great hope for culturally handicapped children—early childhood education—is virtually left out of this bill.

Instead, the dismal decision has been made to request a wholly inadequate amount of funds for this purpose—$150 million—for use by the poverty czar in the Office of Economic Opportunity. These funds cannot even be used for direct aid to schools or school systems; they are administered locally by warring tribes of social workers alined in loose consortiums which have seldom been able to work with school boards or educators. The experience of a similiar arrangement under the Juvenile Delinquency Act and the preliminary experience under the poverty program bears out the futility of this approach.

It is clear that we should be making a very large effort, with substantial Federal support, to provide nursery school and kindergarten experience for educationally deprived children as a part of our regular school system, reinforced by new techniques and materials already oroven experimentally.

The truth of this contention is known to our committee. Chairman POWELL stated on the first day of hearings that there should be a specific allocation for preschool education in this bill, and voiced his distrust of including it under the Economic Opportunity Act. The chairman is himself keenly aware of the needs in this field. The evidence of those needs should not be reviewed.

THE NECESSITY OF PRESCHOOL TRAINING

Much of the research in recent years in the field of child development has singular relevance to the culturally disadvantaged youth of this Nation. Current studies show that irreparable damage of preschool retardation is especially acute among the economic and socially deprived.

In his dramatic testimony on the Economic Opportunity Act of 1964, Prof. Urie Bronfenbrenner, of Cornell University, stated, "we now have research evidence indicating that the environment of poverty has its most debilitating effect on the very young children in the first few years of life." Professor Bronfenbrenner, a renowned authority in this field, maintained that the result of improper early training "is a child so retarded in his development that when he gets to school he is unable to profit from the experience. What is more, the effect is cumulative; the longer he remains in school, the further behind he gets." Hence, no amount of normal schooling is enough to make up for a preschool deficiency.

Through omitting preschool training, H.R. 2362 fails to cover the most important educational period in one's life. This inadequacy was indicated by Dr. Omar K. Moore, of Rutgers University, in his testimony before the committee. In response to a question on the 5-year age limit contained in the bill, Dr. Moore said, "I think that especially for the culturally disadvantaged youngsters, 5 years is too late."

H.R. 2362 feebly attempts to treat the symptoms of our educational ills but fails to attack its causes. The bill recognizes the need for remedial education. Yet it virtually ignores preschool training, which could so drastically reduce the necessity of remedial work. Despite the obvious importance of remedial education it will never substitute for the proper training of the very young.

Investment in preschool and early elementary education not only results in conserving and perfecting human resources but in the long run will even effect a monetary savings. It would have the immediate effect of cutting the costs of remedial instruction and the long-range impact of reducing juvenile delinquency, unemployment, and other costly social and economic problems.

Any bill designed to upgrade and modernize American education which does not focus on preschool training is antiquated before it is even enacted. The most imaginative innovations of recent years in teaching techniques and equipment have been made at the preschool level. Let us not attempt a step forward by starting 10 years behind.

OTHER DEFICIENCIES

At first reading, this bill appears to leave approval of local programs to the State education agency, where the power belongs. However, there is inserted—hidden, almost—a power in the U.S. Commissioner of Education to require that such approval be consistent with basic criteria formulated by him. This effectively robs the State agency, or the local schools for that matter, of any real authority to shape the programs. This centralization of power in the U.S. Office of Education runs throughout the bill.

Title I avoids the question of aid to sectarian schools by requiring local agencies to make some arrangement—such as dual enrollment, television, or mobile services—for deprived children attending private schools. The difficulty is that there is no real guideline as to the adequacy of such arrangement, which leaves the Commissioner in the position of judge in the countless conflicts which would arise at a local level. It will require the most detailed regulations, and an onerous degree of control, to assure that arrangements are equitable.

In this and previous hearings on the subject it has become evident that dual enrollment—shared time—does not work well in all circumstances; for example, where private schools are located far from a public school and that indifference and outright opposition to these plans are a major factor in their slow development. One may doubt that private school pupils would receive much benefit under title I, but obviously many difficult problems would be raised in its administration.

Finally, the very basis for the distribution of funds to individual school districts is unreliable and inadequate. The only data on the number of families with less than $2,000 income is from the 1960 census, reflecting the situation in 1959. Hence it is already 6 years outdated and new data will not be available until 1970. If such outmoded data were used to determine allotments only at the State level, the likelihood of major changes as between States would be lessened, but when applied to a county or to a school district within a county all sorts of intervening events could have completely changed local needs not reflected in the data. The data is simply not responsive to change except at 10-year intervals, thus districts which might need no financial help, even initially, could receive it, while other districts suffering severe economic setbacks would be ineligible.

The adequacy of the $2,000 measure of income has been questioned repeatedly by witnesses and by Democratic and Republican members of our committee. In such States as New York and Illinois, for example, families on public welfare may have incomes of over $3,000. The annual benefit rate of aid to families with dependent children—unemployed fathers is $3,225 per year, $268.71 per month, in Illinois.

The majority tried to patch up this situation by an amendment which would count the children in families receiving public assistance where the family income exceeds $2,000. This leaves the peculiar and highly unsatisfactory result of not counting children of families who have exactly the same income—or

even less income—as welfare families, but the income is gained through employment. There are whole counties in the State of Illinois where the median family income is less than the $3,225 welfare income level. The majority—with administration blessings—have come up with a bill which leaves out the children of poor families simply because their parents are employed.

Thus, not only would poor children of working parents not be counted for the purposes of this bill, but thousands of children of servicemen would be excluded. We can find no equity or fairness, or even any sense, in this kind of distribution formula.

The reason for these inadequacies is probably a political one involving the administration's determination to get an initial amount into as many school districts as possible, which will not limit funds in areas of greatest need. This can be done only by a juggling of outdated and inadequate data to achieve a predetermined initial outlay of $1 billion.

TITLE II—TEXTBOOKS AND LIBRARY MATERIALS

NO FOCUS ON DEPRIVED CHILDREN

Some commentators have been so unkind as to suggest that this title is the price the administration paid to get acceptance of title I. It would authorize appropriation of $100 million in the first year to make State-approved textbooks and a wide variety of library materials available to both public and private schools.

Strangely, this title does not pretend to be focused upon the needs of educationally deprived children. We attempted to provide that focus, but the amendment was rejected. The title directs the designated State agency, in vague language, to distribute such benefits to areas of greatest need, which, considering the status of school libraries in even very good schools, amounts to almost no direction.

ALTERNATIVES NOT CONSIDERED

Unquestionably, both States and localities, as well as private educational agencies, should review the adequacy of school library resources. Federal assistance is already available for both construction and improved services of public libraries, under the amended Library Services Act. Perhaps that act should be expanded to provide a wider and more flexible range of services for schoolchildren. This could be done without any of the serious constitutional problems raised by this bill, and in such a manner as to serve children and teachers in both public and private schools.

But no consideration has been given to any such alternatives by the administration or by this committee. Instead, they propose to embark upon the highly dubious course of direct Federal subsidies for school textbooks and school reference works and library materials. This is one of the paths which the most ardent advocates of Federal education aid have shied away from in the past—and with good reason.

DANGER OF FEDERAL PURCHASE OF TEXTBOOKS

Textbooks come close to the heart of the most sensitive area of the educational process; controversies over school texts are frequent and angry. Under the terms of this title, if a text used in a single school district should depict one racial or national group as inferior, or leave the clear inference that a President or other public figure was a traitor, or covertly adopt a Marxist interpretation of history, Federal funds could be used to supply that text to every child in the State.

The implications of Federal involvement in buying textbooks have not been thought out. No language in this bill can guard against subsequent Federal controls. One example of this truth should suffice: Shortly after enactment of the National Defense Education Act—which contains the identical "assurance against Federal control" found in this bill—an appropriations act forbade the use of National Defense Education Act funds to purchase instructional equipment originating in Communist countries. This control still applies both to public school grants and private school loans under the act.

A similar Federal interference in the choice of textbooks would have far more serious implications. The advocates of this bill have no idea how far the Federal Government is going in this sensitive field. We may ask whether they have looked down the road to a point where most school texts are purchased with Federal funds, and libraries in both public and private schools are stocked with materials at Federal expense; and we should then ask about the possible consequences of such dependence upon centralized financial responsibility.

FEDERAL RELATIONSHIP TO PRIVATE SCHOOLS

These questions apply with particular force to the relationship of the Federal Government to private education. It is easy to foresee, for example, the situation wherein virtually all textual materials used by private school children will be those approved by public school agencies. Is this a dependency which private school educators and religious leaders really wish to create?

Much of the discussion of this title before the subcommittee dealt with the constitutionality of Federal assistance, directly or indirectly, for sectarian school libraries. Whether one believes such assistance is or is not constitutional, applicable decisions of the U.S. Supreme Court make clear that the issue is presented by this bill.

The constitutional issue must be decided initially by each Member of Congress according to his own understanding, and ultimately, if a proper case arises, by the Supreme Court. But the basic issues of educational and public policy should be of immediate concern to everyone. These relate to the degree of centralization desirable in education, to the proper role of the Federal Government, and to the independence and integrity of private education.

These are difficult problems and they should command the most searching of inquiries. Instead, we have seen public hearings rushed to a conclusion, having been literally jammed with witnesess who had scarcely time to read the bill once, if at all. Subcommittee and full committee consideration was hurried to a predetermined conclusion.

We cannot blame harried school administrators for their eagerness to obtain additional funds, or fault fund-starved educational researchers for their desire to carry out vital work, but we would observe that great principles are not preserved and the "Great Society" is not built in the mindless frenzy of a gold rush.

TITLE III—SUPPLEMENTAL EDUCATIONAL CENTERS

This title authorizes the U.S. Commissioner of Education, upon terms and conditions to be specified by him, to establish "model" schools at the local level by a direct grant of 100 percent of the cost to a local educational agency selected by him. A State government would have no control over the operation of this Federal-local educational institution, and the State education agency would only have the empty authority of making recommendations concerning them.

A FEDERAL SCHOOL SYSTEM

Stripped of all its unessential language, this title would permit the establishment in every State of a separate system of Federal-local schools responsible only to the U.S. Office of Education.

True, the "proposals" for these centers—which Commissioner Keppel described in his testimony as "educational institutions"—must originate at the local level from a public school agency. But obviously, since the U.S. Commissioner of Education approves only those which meet whatever criteria he may establish, such proposals must finally take the form prescribed by the Commissioner.

Are these centers really schools? The bill says that the funds shall be used for "the establishment, maintenance, and operation of programs, including the lease or construction of necessary facilities and the acquisition of necessary equipment, designed to enrich the programs of local elementary and secondary schools and to offer a diverse range of educational experience to persons of varying talents and needs by providing supplementary educational services and activities such as developing and conducting exemplary educational programs for the purpose of stimulating the adoption of improved or new educational programs in the schools of the State; comprehensive guidance and counseling, remedial instruction, and school health, psychological, and social work services; comprehensive academic services for continuing adult education; specialized instruction and equipment for students interested in studying advanced scientific subjects, foreign languages and other academic subjects; making available modern educational equipment and specially qualified personnel including artists and musicians, on a temporary or other basis to public or other nonprofit schools, organizations, and institutions; other specially designed educational programs which meet the purposes of this title."

MISLEADING LANGUAGE OF BILL

This language is a blank check to the U.S. Commissioner of Education to do anything he pleases with these so-called supplementary educational centers. Moreover, the language of the bill is flagrantly dishonest in its deliberate use to conceal the extent of the authority granted. For example, what is a "temporary or other basis" if not permanent; why specify instruction in "advanced scientific subjects, foreign languages," and then throw in "other academic subjects" as an afterthought?

This choice of language is deliberate. The drafters did not care to say that instructional equipment, or even teachers, could be made available to private schools on a permanent, or regular basis. They chose to say "temporary or other basis." Particularly, they did not care to openly authorize instruction, under Federal contract and terms, in political science, economics, American and world history, sociology, art, literature, music, handicrafts, and the rest of a complete curriculum. So, they chose to follow the magic words of "advanced scientific subjects, foreign languages" with the general phrase "and other academic subjects."

We are not caviling with mere drafting. Frankly, we are appalled at the lack of candor and the outright deception with respect to this bill. It is an affront to the Congress and a dangerous and dishonest game to play with the American public on any matter, but particularly one so vital as the education of our children.

STATE-LOCAL CONTROL ABANDONED

The choice presented by this title should and must be clear, however Congress may decide the issue: It is a choice between first, our historic pattern of local public education controlled locally under State law, and second, the establishment of a separate public education system financed and administered by a Federal agency. The committee even rejected an amendment to require that these Federal-local schools be administered in accordance with State law.

If Congress approves this title in this form, we shall have clearly abandoned the concept of State responsibility for public education. This is not a question of Federal aid; it is a question of Federal responsibility, and control. The notion advanced by Commissioner Keppel that these centers would be completely local affairs cannot be supported. It is pure fantasy to suppose that a local school board, which comes to the Federal Government for 100 percent of the funds to run an operation which can be approved only by the Commissioner, is dealing at arms length and upon terms of equality.

We urge that the Congress not give the U.S. Office of Education such authority until each Member understands exactly what is being authorized, and until the American public has had an opportunity to express informed views on this issue.

TITLES IV AND V—EDUCATIONAL RESEARCH AND ASSISTANCE FOR STATE EDUCATION AGENCIES

Title IV authorizes an enormous expansion of the Cooperative Research Act to permit long-term support for educational research and demonstration centers selected by the Commissioner of Education. Title V authorizes $25 million the first year for grants to State education agencies for hiring additional staff and improving services, and further authorizes temporary personnel exchanges between the U.S. Office and State departments of education.

ULTIMATE IMPACT CAMOUFLAGED

There is no objection to the expansion of Federal efforts under the Cooperative Research Act, as such. The act authorizes not only research, but demonstration projects and the dissemination of research findings. Over $15 million is available this year for the act, and there is no limitation to the authorization of appropriations.

But the provision in this bill for an additional $100 million for federally established research and demonstration centers must be read in context with the provision for supplemental education centers in title III. According to Commissioner Keppel, it is intended to develop new methods, new curriculums, and new instructional materials and texts, which would then be fed into the schools through the local-Federal system of supplementary centers.

The ultimate impact of the Federal activity is cleverly camouflaged. It represents a two-pronged attack on State control of education, and it is aimed squarely at the essential elements of any school system: Curriculum, course content, methodology, instructional materials, and professional standards for teachers.

This double approach to a firm establishment of the Federal presence in education would be further enhanced by a more extensive subsidization of State education agencies. We note that the Federal funds in title V would not be matched by State funds, which automatically assures a continuing reliance by State agencies upon the Federal subsidy after it has become a standard feature of their operation. If this should not be sufficient to induce a subservient status, a regular interchange of personnel with Washington should complete the work of making every State department of education a branch of the U.S. Office of Education.

FROM SCIENCE TO SOCIAL SCIENCES

For a number of years, largely through the National Science Foundation, the Federal Government has been instrumental in revising school curriculums in the physical sciences and mathematics. Although some concern has been expressed about the wisdom of a standardized approach to teaching science and mathematics, the objective nature of the factual content of these subjects has insulated this effort from the fear of Federal control. Also, the National Science Foundation has no institutional interest in the administration of public education.

This cannot be said for the U.S. Office of Education. By its very nature it is interested in educational policy, as distinct from the advancement of knowledge in particular fields. The distinction is profound.

Recent amendments to the National Defense Education Act extended the teacher preparation of the Office from the fields of modern languages and student counseling into the areas of English, geography, reading, and history. The research centers in title IV of this bill, and the Federal-local supplementary centers in title III clearly project the Office into every aspect of the school curriculum, including the subjective and politically charged fields of the social sciences.

In terms of our structure of educational control, to say nothing of public policy, this progression of Federal influence in the sciences to Federal influence in the social sciences is a quantum leap toward a centralized standardized, uniform national school system.

Whether it is wise to make this "great leap forward" should be a question for intensive national debate. There can be no debate, however, about the fact that such a leap is being proposed.

THE ACTUAL SCOPE OF THE BILL

Aside from passing references in title I to "educationally deprived children" and the use in that title only of a distribution formula based upon the number of children in low-income families, this bill is not confined to the needs of the educationally deprived.

The actual scope of the bill ranges over the entire spectrum of American education and probes into its most sensitive and vital areas. The textbooks and instructional materials in title II are not limited to needy children or impoverished schools, but are admittedly provided as part of a general program; the Federal-local school centers in title III are not limited to the needs of deprived persons, or "problem" students, but specify "persons of varying talents and needs"; that is, everyone. The same universal scope is found in the rest of the bill.

It is a complete misnomer, therefore, to label this bill as one for impoverished and neglected children. Whether the bill merits support or not is beside the point. The true purpose of this bill is to authorize general aid without regard to need, and the clear intent is to radically change our historic structure of education by a dramatic shift of power to the Federal level.

Mr. PERKINS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2362) to strengthen and improve educational quality and educational opportunities in the Nation's elementary and secondary schools, had come to no resolution thereon.

TRIBUTE TO VIRGIL I. GRISSOM

Mr. HAMILTON. Mr. Speaker, I ask unanimous consent to address the House

for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HAMILTON. Mr. Speaker, a distinguished son of Indiana, Virgil I. Grissom, has become the world's first space pilot and the first man to venture twice into the vastness of outer space.

As captain of the Gemini spaceship, Major Grissom altered his flight path and orbit in another historymaking achievement in America's brilliant space program.

In their 4-hour and 54-minute flight, Astronauts Grissom and John W. Young, wrote another chapter of excellence in our Nation's continuing effort to reach the moon and travel beyond.

Back home in Mitchell, in Indiana's Ninth District, the Grissom family continues to follow the quiet pattern of community life, while their most famous son makes history.

The parents, Mr. and Mrs. Dennis Grissom, live at the family home in Mitchell. Norman Grissom, "Gus' " older brother, lives in Mitchell. Another brother, Lowell, is in St. Louis; and a sister, Mrs. Joe Beavers lives in Baltimore, Md.

Major Grissom is married to the former Betty L. Moore, of Mitchell, whose father, Claude Moore, is still a hometown resident.

Back in Indiana, this great space pioneer is known as "Gus," the railroader's son who went to Purdue University, joined the Air Force, and became a much-decorated veteran of the air war over Korea.

All the world knows he is the man who rode the Mercury-Redstone flight of the Liberty Bell 7 on July 21, 1961. Launched from Cape Canaveral, the flight was suborbital, but its success completed the Redstone program and laid the foundation of our continuing series of manned flights.

Now, it is this same "Gus" Grissom who has had the well-earned privilege to open another vital part of our program of space exploration.

In Indiana, we are especially proud of him and his many achievements.

ELIMINATE STATUTE OF LIMITATIONS ON WAR CRIME TRIALS

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, I am disturbed by the upsetting possibility that the West German Parliament may extend the statute of limitations for prosecuting Nazi war criminals for only 4 more years. I speak out against that possibility. Four years is too short a period of time. I urge the German Parliament to consider that, for the heinous crimes of genocide, this statute of limitations should be extended indefinitely. There is no justifiable reason to do otherwise.

I have been following with great interest the progress of the West German Government as it has moved toward extending the statute of limitations. It is a subject which has evoked wide debate within the German Government.

Members of the U.S. Congress also have registered their deep interest in this debate. On January 22, 1965, I joined with a number of other Members of Congress in signing a petition to both houses of the West German Parliament, expressing our support for extending indefinitely the German statute of limitations for the prosecution of Nazi war criminals.

That was a good petition; it had a significant effect. For just recently the Bundestag, the lower house of Parliament, voted overwhelmingly for the principle of unlimited prosecution of war criminals. It sent to a parliamentary committee two draft bills, which would eliminate the statute of limitations. Only in this way can the Government of West Germany be sure that none of the mass murderers shall ever achieve immunity to prosecution. I hope the lower house of Parliament in Germany will have the fortitude and perseverance to continue their argument for this change in the law. I support their efforts, their candor, and their courage.

I am aware that German law—article 103 of the Bonn basic law—may require more than a simple act of Parliament to extend the statute indefinitely. By applying the regular method of constitutional amendment approved by two-thirds of the members of both houses, the statute could legally be extended indefinitely and war criminals previously not indicted could be prosecuted as they are found. Four years is not enough. The Government of the German Federal Republic has legal power to do more; to avoid a "reprieve from infamy" it must use this power.

Certainly there is ample precedent for having no statute of limitations on murder. None of the 50 States in our country has a statute of limitations on murder. Nor should any State or nation impose such limitations.

The limitation for the prosecution of war crimes to 20 years under the statutory criminal law of the Federal Republic of Germany does not have its origin in any enactment concerning war crimes. This limitation derives from the general provision of the German Criminal Code of 1871. By virtue of this code, prosecution for major crimes, including murder, is barred by the lapse of 20 years, unless the running of the period of limitation is either interrupted or suspended. But the crime of genocide, in which millions were exterminated, cannot be judged under the traditional standards for homicide. Nor was genocide even contemplated when this code was first adopted.

Genocide demands a different standard. It is time for that standard to be established. It can be achieved by constitutional amendment supported by two-thirds of both houses. This is the action which seems most advisable to assure that the statute on genocide will be extended indefinitely.

Excellent and thorough efforts by the German Government have been made to round up war criminals who may still be at liberty. I am impressed by the work that has been done by state prosecutors and investigations at the Ludwigsberg Center. I have read with interest the statistics on their success. But I urge that the German Parliament extend the statute of limitations indefinitely so that the embarrassment caused by one unindicted war criminal walking free on May 9, 1965, or even on May 9, 1969, may be avoided. This is an eternal debt, still owed—owed in perpetuity—to those who lost their lives at Auschwitz, at Dachau, at Belsen, at Buchenwald, or any other center of infamy now part of the German past.

RESULTS OF 1965 OPINION POLL FOR 22D CONGRESSIONAL DISTRICT OF OHIO

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, during the past 3 weeks over 21,000 replies have been received from residents of the 22d Congressional District of Ohio to my 1965 annual opinion poll. This response has been most gratifying, and as in previous years indicates the great interest and deep concern people have in the actions of their Federal Government.

It was good to receive the many hundreds of letters and comments on the questions contained on this poll. The views expressed on these issues together with the results obtained on this questionnaire are most helpful to me in sensing the real feeling of my constituents on the important legislative proposals coming before the Congress.

The question on establishing a national policy for control of water and air pollution received the largest favorable response—88 percent, with only 6 percent opposing, and 6 percent having no opinion on this issue. Residents of the 22d District and all Greater Clevelanders are particularly familiar with and sensitive to the question of water and air pollution. It is their overwhelming view that local and State efforts combined with those of private industry are unable to handle this troublesome problem without further Federal participation.

Legislation to provide for presidential succession brought forth an 80-percent favorable response, with 11 percent opposing and 9 percent having no opinion. The people of our Nation have been aroused by the assassination of President Kennedy to the immediate and dire necessity of the Congress taking early action to provide for the orderly transition of our Government in any future emergencies.

The question bringing forth the least favorable support concerned admission of Red China to the United Nations, with 28 percent favorable, 59 percent opposed

and 13 percent having no opinion. The repeal of section 14(b) of the Taft-Hartley Act brought forth the next lowest favorable response with 33 percent favoring, 51 percent opposing, and 16 percent having no opinion.

With all the publicity on the subject of health care to the elderly, and public awareness that some Federal solution must be forthcoming to assist those in need, it is interesting to note the concern of the residents of the 22d District as to whether the social security approach is the best way to solve this problem. Favoring the social security approach were 49 percent of the replies, with 45 percent opposing this method, and 6 percent having no opinion.

The House of Representatives recently approved an appropriation to continue the House Committee on Un-American Activities. Residents of the 22d District supported this action by a 4-to-1 majority. It is also heart warming to see the 5-to-1 majority in favor of legislation I have introduced to provide an income tax deduction of the cost of college tuition.

The complete results of this poll follow:

	Favor	Oppose	No opinion
Do you favor or oppose—			
Medical care:			
1. A hospital and nursing home program for the elderly paid through increased social security payroll taxes on employers and employees?	49	45	6
Immigration:			
2. Abolishing the present "national origin" quota system in favor of a priority system based on the skill of immigrants or their joining close relatives in the United States?	63	25	12
Taxes:			
3. Elimination of Federal excise taxes on such items as jewelry, cosmetics, toilet articles, furs, luggage, and ladies' handbags?	71	23	6
Labor relations:			
4. Repeal of sec. 14(b) of the Taft-Hartley Act which now permits States to enact right-to-work laws barring union membership as a condition of employment?	33	51	16
Area redevelopment:			
5. Federal aid to areas plagued by chronic unemployment?	66	24	10
Education:			
6. A Federal scholarship program for needy college students?	68	24	8
7. An income tax deduction of the cost of college tuition?	78	15	7
8. The administration's general educational proposals for Federal aid in some form to all levels of education?	54	33	13
Water-air pollution:			
9. Legislation to establish a national policy for control of water and air pollution?	88	6	6
Presidential succession:			
10. The appointment by the President, with the consent of both Houses of the Congress, of a Vice President when a vacancy exists in the office of Vice President?	80	11	9
Congressional committees:			
11. Continuation of the House Committee on Un-American Activities?	67	17	16
Foreign policy:			
12. Giving foreign military and economic aid only to countries whose national policies are in basic agreement with the goals of the United States?	78	12	10
13. Admission of Red China into the United Nations?	28	59	13
14. Liberalizing our trade relations with Communist nations?	35	53	12
15. Continued participation in the conflict in Vietnam?	46	38	16

AUTHORITY TO USE GAS IN VIETNAM

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, yesterday, several Members of the House commented on the use of nonlethal gas in Vietnam. Whatever differences of opinion there may be on this issue, I think we can all agree that the decision to use the gas is one that should have been made "at the highest level," the expression used by the gentleman from New York [Mr. STRATTON]. I would assume that means the President.

Therefore, it is surprising to learn that President Johnson was not consulted about the matter, even though it involved "only tactical problems." One is reminded perhaps of the rather striking debate that took place during the last campaign over the feasibility of allowing field commanders to employ tactical atomic weapons under certain conditions on their own authority.

The President, as a candidate, rejected such a policy out of hand. The Republican candidate was characterized as "trigger happy."

Now, it is odd to find that field commanders apparently have been allowed to make a military decision with tremendous political implications. The news of it has certainly had international impact. Our adversaries have been given a propaganda opening.

Had this development occurred under a Republican President, the other side of the aisle surely would have been a turmoil of Members seeking recognition to criticize such a decisionmaking process.

I would be the last to urge that we shape our policies in the world in accordance with the shifts of world opinion. I support our President's policy in Vietnam but I emphasize it should be our President's policy. In view of the statements made in the last campaign by the President and members of his administration and candidates of his party, it seems only fair to ask how it was that a decision with such important implications should not have merited clearance by the ultimate authority of the National Government, at the White House.

SPAIN SUBVERTS ITSELF WITH CUBA DEALS

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, yesterday a high-ranking diplomat defected from the Cuban Embassy in Spain only to tell the press after he had reached asylum in Paris that Fidel Castro was using his Embassy in Spain to launch subversion against the Franco regime.

The diplomat, Odon Alvarez de la Campa, was once a trusted Castro aide who participated in the Communist revolution in Cuba. His testimony gives dramatic proof to the treachery of Castro and his followers. Spain and Cuba have just signed a trade agreement which now makes Spain Castro's leading trade partner in Western Europe.

The American Maritime Association has revealed that Spain is building a large fleet of cargo vessels, refrigerator ships, and fishing boats for Cuba. Many of these will be used by Castro's seamen to compete against the U.S. fishing industry, as well as for spreading Communist subversion throughout this hemisphere.

But the fact also remains that Spain's help to Castro is being directed right back against her. By helping Communist Cuba, Spain is subverting herself, and assisting Castro in his efforts to foment trouble in this hemisphere.

Only a tight boycott against Cuba imposed by the free world will curb Communist Cuba.

INCIDENT IN THE STATE OF GEORGIA

Mr. KREBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KREBS. Mr. Speaker, this morning we again witnessed another incident that demonstrates the humiliation, harassment and intolerance heaped upon many of our citizens in certain sections of our country.

More than a hundred American citizens, en route from the Nation's Capital to Montgomery, Ala., were delayed in

interstate travel when their train, chartered from the Southern Railroad, was left without a crew of the Atlanta & West Point Railroad in the State of Georgia. Mind you, these were American citizens traveling from one State to another. This is not one of those intolerable situations that are supposed to be commonplace in some far-off undemocratic country where the elite totalitarian rule. More and more, though, our Nation is becoming increasingly aware of the shameful hypocrisy of a state of mind that decries intervention in a supposedly genteel way of life. But I am sure that my colleagues and their constituents will not excuse this latest affront as merely another sample of a way of life that in its ante bellum days was the accepted expression of hospitality.

The Interstate Commerce Commission was created to regulate common carriers in the promotion of safe and efficient transportation service. I intend to ask that Commission to investigate this apparently calculated refusal of service and request that it take proper steps to insure safe and uninterrupted passage for our citizens wherever they may be in interstate travel.

Mr. Speaker, I say shame on those guilty crewmen and railroad managers for their spiteful acts.

INJUSTICE DONE TO OUR LOCAL POLICE BY ASSOCIATION

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GROVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. GROVER. Mr. Speaker, as one who wholly supports the civil rights concepts of equal opportunity and equality under the law and certainly equality in voting rights, may I address myself to another injustice, the injustice done to our local police by association.

Oftentimes the lens is in focus on the mouse and misses the mountain. The concentration of national interest on the shameful events in Selma, Ala., a fortnight ago, would present, if unchallenged, an erroneous image of the policemen of the State, county, or local communities—an image unfair and undeserved.

So, Mr. Speaker, it is high time that someone took the floor of this House to speak out for the tens of thousands of completely dedicated Americans, Godfearing family men who make up the police forces of this country. These men are as much soldiers as our brave men in the far corners of the world in their unselfish devotion to duty—often dangerous and unacknowledged.

My hat is off to those I know well—to Nassau's and Suffolk's fine county and village police in my district—to New York City's finest—and to their colleagues in the police departments countrywide who have done so much for so many.

I am pleased to submit for the interest of the House this eloquent letter from a constituent to one of our local newspapers in praise of the men in blue.

HUNTINGTON, LONG ISLAND.

EDITOR, THE LONG-ISLANDER: The continually growing efforts of certain individuals, some of whom are legislators, to circumvent and curtail the activities of policemen in the sworn duties of the profession, (i.e.) protecting life and property, detection of crime, arrest of offenders et al., is having a serious and menacing effect.

Police work is a never-ending, ceaseless effort that requires the utmost dedication in the war on crime. The police officer must feel appreciated, must feel he is backed by the citizenry in general as well as his superiors. Charles Murphy one of the most sagacious politicians in the heyday of Tammany Hall for all his Governor-busing, Senator-making proclivity refused to interfere with the orderly processes of the police department.

Today, however, politicians and officeseekers, in order to curry favor with group, are willing to scrap the duties of the police officer or so hamstring their operations as to make the job too onerous. The writer was amazed to note in North Carolina papers advertisements for candidates for New York City Police Department.

Suffolk County has not as yet felt this reluctance of police candidates to take the job of law enforcement but as we grow, it could be faced with the same problems. Our choice then would be to lower the high standards now required with a resultant loss of top materials; or, seek recruits in the hinterlands of the Nation.

Let us hope that zealous newspaper editors, television and radio commentators, together with political officeseekers, do not oversubscribe to the liberal views on the Declaration of Independence to such excess that they will undermine the very foundation of the beloved Constitution. Rapine, riot and revolution in every corner of the globe, have followed in the breakdown of law and order.

On this the eve of President Johnson's message on anticrime to Congress, he must stress that we jealously guard, protect, and justify the rights and duties of the police officer in his herculean task, against no matter the power or prestige of those who would oppose. Public opinion must prevail. Let us stand beside not behind the men who wear the blue.

RAYMOND A. DONOVAN.

MEDICAL CARE PROGRAM

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. BOW] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. BOW. Mr. Speaker, it is distressing to me, as I am certain it must be to millions of Americans, to see the Congress moving toward enactment of a massive, permanent Government medical care program in an effort to solve what is really a temporary problem.

For various sound and understandable reasons, the majority of Americans who are retiring today, or have retired in the past few years, have not been able to make adequate preparations to discharge obligations which may arise when serious illness strikes. For equally sound reasons, this is a temporary problem which will not affect so large a proportion of retired citizens in the years ahead nor affect any of them as seriously.

I listened with interest to a television program in which the senior Senator of New Mexico, Mr. ANDERSON, the gentleman from Wisconsin [Mr. BYRNES], and the gentleman from Missouri [Mr. CURTIS] described their separate solutions to the problem.

The three bills have in common what is to me a fatal failing: They would establish giant new Federal or Federal-State programs that would go on forevermore, a continuing and increasing burden to the taxpayer, long after the problem they are supposed to cure could have cured itself. The committee bill introduced today has the same disadvantage.

The only proposal that does not have this built-in defect is H.R. 21, the comprehensive, voluntary insurance program I first introduced 3 years ago. H.R. 21 encourages people to take care of their own problems, and H.R. 21 can solve the present problem without fastening a permanent new bureaucracy on the taxpayers of this country.

Today's retired people face problems unique in our history. They experienced two World Wars and a great depression during the best years of their lives and their postwar earnings were subject to the burden of heavy taxes and soaring inflation. They are living longer than any previous American generation, and they are doing so in large measure because of the tremendous progress that has been made in American medical knowledge and techniques. Paradoxically, it is this same program in the field of medicine that places a heavy and often insurmountable burden on their slender resources, because modern medical care is costly beyond anything we have experienced in the past. They need help.

The next generation of retired persons will have much greater opportunity to prepare for retirement.

In the first place, they know they can expect longer lives and must make preparation. They will be people who spent most of their productive years in times of prosperity. They will be protected by the pension plans that are now being developed in most industries on a scale hitherto unknown. And they will have available to them methods of prepaying medical care insurance, company programs for the medical care of retired employees, and greatly improved insurance programs especially designed for the retired person. All of these things are now developing, proving the ingenuity of the free enterprise system and its ability to solve the problems of our people.

In the face of these facts, why adopt a program that would burden the already inadequate Social Security System with a tremendously costly, permanent hospital program, financed by a regressive payroll tax, as H.R. 1 would do?

Why adopt a program that envisions a complicated Federal-State relationship with uncertain benefits, depending upon the willingness of the States to increase

their taxes or to divert funds from existing programs that already are inadequately financed? H.R. 3727 would do that.

All three would mean tremendous annual expenditures. Only H.R. 3727 includes any incentive to people to find the means of helping themselves, and this feature of the bill is at cross-purposes with all the rest. How effective will it be to provide a tax deduction for prepaid medical care insurance if the individual is assured the Government will take care of him anyhow?

H.R. 21 will accomplish more for less money because it relies on the genius of free enterprise and because it does not require the establishment of any new Federal or State agency or even the enlargement of any agency. And as the years go by, as medical care insurance becomes more comprehensive and more readily available and as our older people become better able to discharge their obligations, H.R. 21 will become less and less necessary. It is a crutch we can throw away when we no longer need it; not a brace we must wear for life.

The money and influence of the AFL–CIO, the Democratic Party, and the Department of Health, Education, and Welfare have been used to publicize the King-Anderson bill. The AMA must be spending millions on publicity for the Curtis-Herlong bill. The fact that the ranking minority member and several of his colleagues on the Committee on Ways and Means have prepared a bill has been widely noted in the press and certainly is newsworthy. Meanwhile, H.R. 21, the easiest and best solution to the problem, which has gained broad acceptance and support wherever it has been presented to doctors, senior citizens, and others during the past 3 years, receives little consideration.

I repeat, it will be a sad day for this country if we insist on trying to solve this temporary problem by building another bureaucratic monster. Let us take the simple, direct, effective route provided in H.R. 21.

TRIBUTE TO BENJAMIN L. ROSENBLOOM

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. MOORE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. MOORE. Mr. Speaker, today it is my sad duty to announce the passing of the late Benjamin L. Rosenbloom, one of our former Members, who served the First Congressional District of West Virginia, so ably, fearlessly, and with such distinction from 1921 to 1925 in the 67th and 68th Congresses.

Mr. Rosenbloom passed away last Monday in a Cleveland hospital at the age of 85 after a long illness.

An outstanding Republican, Mr. Rosenbloom was a close personal friend of mine. He was a leader while in the Congress in securing laws on stream pollution, guaranteeing bank deposits, and governing aliens. Often we had the opportunity over the years of my service in this body to compare notes of the many changes that have taken place.

Mr. Rosenbloom served in the West Virginia State Senate before coming to the Congress in 1921. During his congressional campaign, he compiled a paper he labeled "The Famous Fable" in which he voiced his opposition to prohibition.

Mr. Rosenbloom was a native of Braddock, Pa., was graduated from the West Virginia University Law School, and admitted to practice of law in West Virginia. From that time until his retirement in 1951, Mr. Rosenbloom practiced law in Wheeling, W. Va.

During this period, Mr. Rosenbloom also found time to serve as Wheeling city councilman, mayor, and newspaper publisher. Along with his busy lifetime of public service, he served as grand exalted ruler of the Wheeling, W. Va., Elks Lodge. In the 1930's, he founded a weekly newspaper called Tides which was best known for its outspoken editorial policy. He was quite outspoken on the subject of prohibition. At the time he mounted his crusade in the State senate, he was the only member of that body opposing the drys.

Mr. Speaker, Mr. Rosenbloom was a leader in his time. He maintained his keen interest in government long after he left the Congress. I am proud Benjamin L. Rosenbloom came from West Virginia—particularly proud that he came from the district in West Virginia I am privileged to represent. I believe we all are better people because of him and his lifetime of service to his State and Nation.

THE IMPORTANCE OF EDUCATION

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WOLFF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. WOLFF. Mr. Speaker, I echo the sentiments of the President on the importance of education:

> Nothing matters more to the future of our country, not our military preparedness—for armed might is worthless if we lack the brains to build a world peace; not our productive economy—for we cannot sustain growth without trained manpower; not our democratic system of government—for freedom is fragile if citizens are ignorant.

The need for better educational facilities and materials is current; the need for a more comprehensive education plan to secure adequate education levels for all Americans is current. These current problems should and must be met now. Our great country craves and needs better educated citizens if it is to continue as a prospering, vibrant society.

The public education of our children is primarily the responsibility of the States and local communities. The Federal Government has never sought to preempt this responsibility, and I want to exercise continued vigilance that this policy is adhered to. However, when spiraling costs place education beyond the means of our burdened local and State governments, the Federal Government has both the authority and responsibility to assist them. Local taxes in support of education and the sundry other responsibilities have reached the saturation point. The local resident is inundated with a myriad of local taxes which utilize real property holding as the tax base. There is a need to spread this burden; there is a need of providing a more equitable means of securing funds for the pressing needs of our communities. Very legitimately, the Congress has based its authority to enact legislation, which provides aid to education, upon its constitutionally granted power to use tax funds for the promotion of the general welfare. The connection between an adequate education for all of our children and the general welfare of this Nation needs neither an explanation nor a defense. As the Federal Government attempts to alleviate this lack of funds for education, it is continually harassed by one major impediment. Would the granting of Federal tax funds for the benefit of children attending sectarian and private schools violate the constitutional requirement of what has come to be called separation of church and state?

The first amendment to the Constitution of the United States declares in part:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

This prohibition is not the outgrowth of an antireligious conviction on the part of our Founding Fathers nor a denial of the place of religion in the individual lives of our citizens or, in truth, in our national life. It represents, rather, a recognition of the necessity for Government neutrality in religious matters.

The Supreme Court has never been called upon to rule on the constitutionality of an act of Congress which establishes a program of assistance for the education of pupils in sectarian and public schools. There are, however, several opinions of the Supreme Court which have involved somewhat similar issues.

The case of *Cochran* v. *Board of Education* (281 U.S. 370), decided in 1930, involved a statute of the State of Louisiana under which money was appropriated for textbooks for schools of the State. The constitutionality of this law was challenged on the grounds that because schoolbooks were made available to private schools, including sectarian schools, property—tax money—had been taken by the State for private purposes in violation of the 14th amendment.

The Supreme Court upheld the Louisiana statute on the grounds that the schoolchildren and the State were the beneficiaries of the financial aid. The Supreme Court decision was premised on an important distinction. The distinction between the school as beneficiary and the child as beneficiary.

> The appropriations were made for the specific purpose of purchasing schoolbooks for the use of the schoolchildren of the State, free of cost to them. It was for their benefit and the resulting benefit to the State that

the appropriations were made. True, these children attend some school, public or private, the latter, sectarian or nonsectarian, and that the books are to be furnished them for their use, free of cost, whichever they attend. The schools, however, are not the beneficiaries of these appropriations. They obtain nothing from them nor are they relieved of a single obligation because of them.

Another relevant case is *Everson* v. *Board of Education* (330 U.S. 1) decided in 1947 by the U.S. Supreme Court. This case involved a New Jersey statute which authorized district boards of education to make contracts for the transportation of children to and from all schools except those operated for profit. Under this authority, a school board authorized reimbursement to parents for fares which they paid for the transportation for their children to public or private schools.

Justice Hugo Black, speaking for the Court, referred to Thomas Jefferson's remark that the first amendment creates a "wall of separation" between church and state and declared that this wall must be kept high and impregnable. Justice Black reasoned that the provision of funds for school bus transportation for students in sectarian schools was not an aid to religion. It is an aid to the students; the program was obviously intended to benefit the child, not to aid or to establish a religion.

The first amendment was not intended to cut off church schools "from those services so separated and so indisputably marked off from the religious function."

In both these discussions, then, we see the development of the pupil-benefit argument. According to this line of reasoning, the Supreme Court has declared that a child by merely attending a sectarian school does not render himself ineligible to receive benefits which the State confers upon all students.

Further evidences of the Federal Government's assumption of responsibility and aid to education are noteworthy of discussion. It should also be noted that in these following programs Federal control of the educational goals, guidance, and programing was not present. The viability of the local system was at all times maintained and never infringed upon. The fear that Federal control goes hand in hand with Federal aid to education should be obviated upon close inspection of these programs.

Under the GI bill a plan was provided whereby veterans received Federal aid to continue their educations whether they attended a public or private school. No Federal control over curriculum or infringement on the separation of church-state postulate manifested itself. No one now would question the utility and the worth to the Nation of this program. Would anyone question the inuring benefits to the country secured by Federal Government grants to universities for research even though two of the largest grants went to Notre Dame and Yeshiva Universities? Here we have two distinguished universities who certainly have not been impeded by Federal regulation of their curriculum or other aspects of school administration.

The Federal Government has also extended tax privileges to those people who donate money to religious organization by way of an exemption, and has, in fact, extended tax exempt status to nonprofit religious organizations. Observation then points up the myriad of programs in which the church and the state can and do cooperate toward the apex of a better America.

The present Federal education bill has many inherent safeguards which maintain the wall of separation between church and state. The bill itself specifically declares:

> Nothing contained in this Act shall be considered to authorize the making of any payment under this Act, or under any Act amended by this Act, for religious worship or instruction.

Aid for any "religious worship or instruction," thus, is banned.

There are three titles which would provide benefits to students in sectarian and public schools.

The first is title I under which the largest appropriation would be made for the initiation of a 3-year program of assistance to local education agencies for the education of low-income families. These are the disadvantaged children, children of families who earn less than $2,000 per year, or whose parents are on welfare. They are the children who attend overcrowded, obsolete, unsafe schools; children who are candidates for juvenile delinquency and crime; and children who are a year behind in mastering their schoolwork by the time they reach the third grade, and up to 3 years behind if they reach the eighth grade. These are the children who are uninterested and unmotivated and who will be unskilled and unemployed.

The funds provided under this title will be used to establish, expand, and improve programs to meet the special needs of these children. This will include expanded guidance and teaching staffs, intensive counseling, remedial work, prekindergarten and full-day kindergarten programs, special instructional materials, and so forth.

The principle of shared time is also to be utilized by the administration's education bill. Shared time permits pupils in sectarian and nonprofit private schools to take some of their courses in public schools. It is interesting to note that limited shared-time programs, although not given that name prior to 1961, have been in successful operation in some parts of the United States for 40 years or more. The broad support for the shared-time proposal, by religious and nonreligious groups is engendered by the need of utilizing all the educational facilities available to the country. Shared time is a unique program in that it provides facilities for the student and does not infringe on the separation of church and state. The problem of education deprivation has no relevance to whether the child attends a public or private school. It has all the relevance to the welfare of the child and of the Nation.

Under title II, there is provision for a 5-year program to provide school library resources and instructional materials for teachers and children in public and nonprofit private elementary and secondary schools. Only those books used and recommended by the public school authorities would be provided for the private schools. This negates the possibility that materials for religious instruction would be purchased out of public funds. Additional separation as provided by a provision which specifies that title to the books and other instructional materials would be held only by a public agency.

Again, who would benefit from this provision? Is it not obvious that it is the child, and ultimately the Nation?

Title III calls for the initiation of a 5-year program for supplemental education centers and services in which all elementary and secondary school students would participate. Facilities for special instruction in science, languages, music and art; such services as counseling and guidance, health and social work; and such education centers as technical institutes, museums, art galleries, and theaters are unevenly distributed and inconsistent in quality throughout the Nation. These facilities are a vital part of an adequate education and should be available for all students. This title would provide common facilities which cannot be efficiently or effectively provided by each individual school, such as libraries, science and language laboratories, theaters, sports facilities, exhibit halls, auditoriums, and so forth.

Again, I ask who would benefit? Certainly, this cannot be termed an establishment of religion or even an aid to religion. As an added safeguard, a provision has been attached which specifies that the centers must be under the control of a public agency.

These are the provisions which would provide assistance to the students in private elementary and secondary schools. The bill has been carefully drafted to avoid the controversy which has blocked general school aid bills for the past 15 years. It has the indorsement of the National Education Association and the various religious organizations. The Justice Department has declared that it is constitutional. It appears to me that the pupil benefit argument which the Supreme Court has adopted in the past, is wholly relevant to this bill. The shared-time plan offers the safeguards and flexibility to achieve a high level of nationwide education without infringing on basic American postulates.

I truly believe that it is a wise, farsighted, and human bill, and that its enactment is essential if we are to have equality of educational opportunity for all of our children.

In a country so rich and so benevolent to other countries, it seems a folly that those Americans who are repressed, due to lack of correct educational motivation and facilities, are not aided. In the final conclusion, each American will rise or fall on his individual tenacity, motivation, and skill, but surely a good education is a minimum legacy that each generation can provide for the next.

PASSAGE OF THE DISTRICT OF COLUMBIA CRIME BILL—A VOTE OF CONFIDENCE IN THE SENATE

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman

from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following editorial from this morning's Washington Post.

It is most unfortunate that this body approved H.R. 5688 on Monday and I trust that as the editorial suggests we can depend upon the Senate to reject it.

The editorial follows:

OMNIBUS CRIME BILL

The passage of the District crime bill in the House can only be understood if it is regarded as a vote of confidence in the Senate. One cannot believe that the House Members would have passed such a monstrosity if they had not been certain that the other Chamber would rescue them from the consequences of their folly.

While this explains this particular lapse, it hardly commends it. This is a dangerous piece of business and one day the Senate might nod and let some such measure get into law. In this case, the Senate seems fully alerted and has planned hearings that the House did not hold in which the multiple weaknesses of the omnibus crime bill surely will be made apparent. Failure of the House to even hear the administration witnesses who are supporting very different proposals is an act of discourtesy to the President that one might think Democratic Members would have wished to avoid.

The provisions on the Mallory rule and Durham rule raise the most serious constitutional questions. The improvised obscenity sections would threaten the constitutional rights of all publications in the District and expose them to calamitous losses on mere suspicion and in advance of judicial determination of guilt. There is little likelihood that the crime bill would survive long in the courts, but it is to be hoped that it will be killed long before it gets there.

NEW YORK CITY IN CRISIS—PART XXII

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the 22d part of the series on "New York City in Crisis" appearing in the New York Herald Tribune.

This installment appeared in the February 12, 1965, edition of the New York Herald Tribune and concerns the valiant efforts on the part of the 200 New York City Youth Board Street Club workers to understand and control the massive juvenile delinquency in the city's slums.

The article follows:

NEW YORK CITY IN CRISIS: THE STREET CLUB WORKER—THE CITY'S OWN PEACE CORPS

(By Claude Lewis)

Clement Cumberbatch is a 35-year-old college graduate who holds a dual degree in English and sociology, but his language is often the language of the street. He uses such terms as "thump" (to beat a person), "snagging," and "japping" (to mug or beat cruelly) with such ease and frequency that you wonder if he ever studied English at all.

Mr. Cumberbatch chooses to spend his days hanging out on street corners with high school and junior high school dropouts in the East Tremont section of the Bronx. Most policemen on the youth squad know him on sight.

They also know that he is one of the 200 street-club workers employed by the New York City Youth Board.

There is no question that street-club workers rank high on the list of the city's understaffed (200 of them cover 16,000 problem youths) and underpaid employees. Half of the youth board's total budget of $6.8 million last year was distributed among 65 contract agencies such as the YMCA, the CYO and the Central Brooklyn Coordinating Council, Inc. Yet, despite this outlay—some $45 million over 17 years—the juvenile crime rate continues to soar.

DOLLAR FOR DOLLAR?

In 1953 when the street-club worker concept became a reality, a starting New York policeman was paid $3,700 a year, while a street-club worker, a college man, got $3,600.

Today, a starting policeman earns $6,647 a year while a street-club worker, who must still be a college graduate, earns only $4,500.

According to the youth board and the street-club workers, their problem is basically one of money and manpower.

Give us more men and give us more money, they say, and we will make deep inroads into the juvenile delinquency problem in New York.

"The city has not met the rise in crime with a solid preventive program," says a high-ranking youth board official. "Our major investment has got to be in people. The mayor has said that people are the city's most important resource. But he has consistently failed to provide the money necessary to develop them."

There is no question that, with more money and more men, the youth board—and particularly the street-club worker—could do a better, more comprehensive job.

What isn't so obvious—particularly to people who do not work for the youth board—is whether, at its present strength or even at double it, the street workers can ever substantially curb the frightening increase in juvenile crime.

IS IT TOO LATE?

Since the youth board was set up in 1947, more than $45 million has been spent on a wide variety of programs, all designed to conquer juvenile delinquency. This year alone, the youth board has a budget of nearly $7 million (of which $1.8 million has been poured into the street workers program), and the problems of youth, undisciplined, disrespectful of law, increasingly violent and with less hope than ever, are more critical than ever.

"I'm 19 years old and I ain't had nothing but trouble since I was born," says William Bennett (an alias), a Bedford-Stuyvesant gang member and dope addict. "How's anybody gonna help me? I needed help when I was born. Youth board workers are okay, they're tryin', but I don't think there's much they can do for me. It's a little bit too late."

Yet even if a larger street-club worker program were able to make impressive headway in curbing juvenile crime, which is highly debatable, it would still not be a true solution. For the street-club worker and the youth board can do nothing about the extreme problems of slum housing, slum schools, and slum hurt, which continue to produce these deeply troubled youngsters in the first place.

Ever since they broke up the large street gangs, street-club workers have become relatively unknown to most New Yorkers—and to the city administration. "With almost a million middle-class people leaving the city for the suburbs and being replaced largely by disadvantaged people, the role of the street-club worker will be more important than ever," says the youth board's executive director, Arthur J. Rogers. "We must think in terms of expanding our services."

Street-club workers fill the gap between the truant officer and the police officer. Their main duties are to prevent teenage gang members from "bopping" (fighting) and killing one another and to curb destruction and self-deterioration by bitter hostile youths throughout the city's 29 "high hazard" areas.

TRUST AND RESPECT

"Our kids test, and test, and test us in so many ways," says Mr. Cumberbatch, "that you have to remain constantly on guard. And they have their own code of ethics. Cross them and you've lost them, prove your friendship and you've made a friend. After all, all these kids are really looking for is an adult whom they can trust and respect.

"They don't want an adult with a wishy-washy personality. Many of them find that at home," Mr. Cumberbatch says. "They want someone who has standards, rules, and, most of all, that someone has to be a person they can look up to."

Quite often the angriest gang member is the brightest and the most resentful of authority—including that of the street-club worker. But once he is convinced he can trust a street-club worker, the worker finds far less difficulty in trying to change the goals of the gang members.

Officially, the street-club aid works a 37½-hour week, but in practice often as not he will work more than 55 hours in a week, at no extra pay. "Human problems don't stop on Friday evening at 5 p.m.," says Robert Cooper, leader of the street-club section of the youth board.

Mr. Cooper is right. But despite the necessity of the workers to remain on the streets long after their official time off—and even to work on their days off—the city is unwilling to pay for this extra duty. This is one of the reasons for the high turnover among the workers. (The turnover rate is about 30 percent and has been as high as 43 percent annually.) This fact becomes more important because it usually takes a worker about 6 months to "reach" his group. When he leaves, the next worker has a difficult time convincing the gang that he really cares about them.

NOT THE MONEY

Although every one of the city's 200 street workers is college trained; it is obvious that they do not take the job for the money. Street-club workers are among the most poorly paid professional people in the country.

After 2 years on a job which is sometimes more dangerous than that of the police officers (street-club workers are not armed), Mr. Cumberbatch earns only $5,750 a year, and he has put in more than 300 hours of overtime in the last 11 months. "Oh, I may be able to make it up by taking some time off," he says with a smile, but he knows that most of those 300 hours are lost forever. "I'm not crying," he said last week, as he slipped a cigar into an ivory and silver holder. "I'm not chained to the youth board. But no other job could possibly give me this much satisfaction."

Street-club workers are on 24-hour call 365 days a year. Even while on vacation they must let the office know where they can be reached. On their days (and nights) off, they are required to call the office at a special telephone answering service at least three times a day. Workers who cannot afford telephones must call in from public phones.

A TYPICAL DAY

On a typical day, Clement Cumberbatch (who serves as acting supervisor of the Morrisania-Belmont unit at no extra pay) arrives at his office at 555 East Tremont Avenue at noon. By 1 p.m. he tries to clear up such administrative chores as processing time-sheets, schedules, and filing requests for the station wagons his workers use to take the youthful offenders on trips around and outside the city. At 1, he searches newspapers for items relative to his work that may have taken place after his street workers went off duty at midnight or 1 a.m.

At 2 p.m. his staff of nine begins trickling in. This is the time Mr. Cumberbatch devotes to conferences on existing problems, to general instructions, to planning strategy, and to passing along word from downtown youth board headquarters at 79 Madison Avenue. Mr. Cumberbatch also helps his workers make youth referrals, he talks with probation and parole officers, school guidance counselors, officials at the youth board's treatment service bureau, and with the police.

At 6 p.m. the entire staff goes to dinner and at 7 they begin peeling off for their various areas within the unit.

Mr. Cumberbatch and his workers spend much of their time on the streets discouraging bopping and encouraging the youth to apply for jobs, return to school, or join community centers. His major effort is to get them off the streets. For almost 7 years, many centers would refuse to accept the referrals of the street-club workers, contending that these youths would disrupt their programs and create tension and ill feeling among their youth. However, street-club workers have since been able to discourage this attitude and have gotten thousands of their youths into these centers.

Not every street-club worker handles his problems the way Mr. Cumberbatch does. In Brooklyn, for instance, where hundreds of kids are gang members, in a section where drink and drugs are the way of life, one worker practices pragmatism.

"I'm here to get a job done," he says, "and I can't be completely tied down by department rulings. I'm supposed to call our supervisors the moment I find drug addiction among my gangs. But if I do that and eight or nine kids get busted (arrested) the next week, I've got to come up with some damned good answers for those still on the street."

In order to keep the lines of communication open, some street-club workers find it necessary to suppress instances of corruption and police brutality which they sometimes cannot fully substantiate. "You've got to remember," the Brooklyn worker says, "we're dealing with both the police and the kids and we've got to do what's necessary to keep them both fairly happy."

"A few years ago the city tried putting psychologists in the street, like we were in the street," Mr. Cumberbatch says, "but the program didn't work out too well. You know, these kids are too hip. They have been social worked to death. They've known social workers all their lives. They've met them at welfare, in school, family court, truant officers, guidance counselors, and probation officers.

"We try to deal with them without talking down to them. By the time these kids get out of school and into the street they've been through the whole bit. They know the laws of the court, and they know the street better than anybody else. You can't fool them and there's no sense in trying. They'll survive in most instances better than anyone else."

The question is, Will the street-club worker program survive?

The city has positions for only 200 street-club workers. Realistically, 500 could effectively cover the entire city and help check the rising rate of crime. There are areas that need but receive no attention by street-club workers because of the lack of money to expand their program. More than a few neighborhoods lack services such as those performed by the street-club workers last year:

During the last calendar year street-club workers referred 9,680 youths for jobs (3,719 were placed); 725 medical or dental referrals were made; 3,333 youths were given school counseling, while 1,091 were given spiritual attachments (the youth board works with religious leaders). More than 1,061 youths were referred to family agencies, and more than 1,025 were taken to museums or other cultural centers "to help them feel related to the totality of the city."

Because there are only 200 street-club workers (14 females among them), spread paper thin throughout all the boroughs except Staten Island, thousands of kids are left to their own devices, one reason the city's crime rate mounts year after year.

In the city's 29 high hazard areas (where 3,170,077 of the city's nearly 8 million people live) the street-club workers service close to 16,000 problem youths, an average of 80 teenagers to a worker.

MORE HELP WANTED

"And we are not helping all the kids who need us," says Mr. Cooper. "We are constantly getting calls and letters asking for help from places like Staten Island and Coney Island where we are not able to provide a single worker. Crime is rising in both of these areas, but we just don't have a nickel to provide the service needed."

Staten Island and Coney Island are just two of the many areas that appear to be stepchildren of the city. The youth board is spending only $110,000 in Staten Island (providing other services) and Coney Island—fast becoming one of the city's most critical areas—receives no help from the youth board.

A major criticism of the current city administration is that it has consistently failed to anticipate the need for expanding its programs as the city grows. Staten Island is a case in point. During the more than 5 years it took to complete the Verrazano Narrows Bridge which opened last November, the city did nothing to provide for the expanding population that is certain to include a number of problem youngsters.

When and if money for Staten Island ever becomes available, it will cost the taxpayers far more than would have been necessary if city hall had been able to see what was obvious to almost everyone else:

An administrative fact of life is that preventive measures are almost always less expensive than curative measures.

KILLED IN ACTION

In the nearly 18 years of the New York City Youth Board's existence, its street-club workers have a record of only one killed in action, and one critically injured.

In January 1963, Louis Marsh, 29, was beaten to death on a Harlem street. Four boys, ranging in age from 17 to 19, killed Mr. Marsh because he had carried out the job he was assigned to do—he headed off a rumble.

The inherent trouble-fomenting aspect of a street-club worker's role is rarely mentioned in official postmortems.

Most often, the conflicts that result in threats or violence to youth workers arise because a worker appears to be competing with the established leaders of the gangs. They try to control or influence the bulk of the gang's members, to turn the gang's interest from violence toward some socially acceptable outlet.

The best, but often the most difficult, way to bring about a change in the behavior of an antisocial gang is to do something about the gang's leader.

Most gang leaders are wild, violent types, but many are cunning and quiet. A worker must seek out the leader, try to gain his confidence, and then get to work on the rest of the group. This is dangerous because it represents the leader's greatest possible loss, the control of the only world in which he is important, or even acceptable.

Last year, street-club worker Henry Amadore's skull was fractured when he tried to settle differences between two warring factions on Manhattan's lower West Side. (Mr. Amadore recovered and is now working with younger children at a Manhattan church.)

NO USE FOR MARTYRS

"One thing we always stress to our new workers," says Mr. Cumberbatch, "is that we don't have any use for martyrs or heroes. We need people with brains; people who want to live and people who want to help the city's lost youth. If you're a suicide looking for a place to happen, don't come to the street-club workers, we can't use you."

Sometimes the services the street-club worker provides are incredibly basic. "Some of our kids have never been on a shopping trip. Some have never had a new coat, and others have dropped out of school simply because they don't own a decent pair of shoes. This happens most often with our girls. We encourage them to save their money, and we add the difference to whatever they've been able to save. Then one of our female workers takes them downtown to shop, to let them know that somebody cares whether or not they have a decent coat.

"A simple thing like this will sometimes be enough to get a girl back in school. Some of these kids have never had a chance from the beginning," says Mr. Cumberbatch. "Often when a girl of 19 has four illegitimate kids, this is her way of expressing the hopelessness of her life. This is her only weapon."

Many street-club workers come to the youth board to get enough experience so they can work in other cities—which almost always pay more. "We lost five of our top-level workers in the last 6 months," Mr. Cumberbatch says, "and the only reason they left was because they got a chance to make more money. The average increase a worker gets when he goes to a private organization is $2,000. How can they be blamed for leaving us? They can't."

MOONLIGHTING

Mr. Cumberbatch has a wife, Arden, three young daughters, and a mortgage to support. "We're just making it," he says, "and the only reason we can is because I'm able to pick up a few dollars moonlighting." Many workers are forced to take other jobs to help support their families."

"I don't like the word 'dedicated,'" he says. "In fact, I even resent it when it is applied to me because it lumps me with all the city's bleeding hearts and do-gooders. I'm neither. I came to the youth board over 2 years ago because of my personal commitment to do something for the slum citizen. I may work here for the rest of my life, or I may quit next week. I will leave this job the moment I feel I am no longer effective. That's my criteria for doing my job. I've got to be effective."

"I shudder when I think of what this city would be like if we all walked off. No one would be safe living here. Not one of the gangs we work with was involved in the riots in Harlem or Bedford-Stuyvesant last summer. The degree of restraint our boys exercised at that time was incredible. No one knows how many we dissuaded from acts of violence, we don't even know ourselves. We are pretty happy about our successes."

One thing the street-club workers are not happy about is the city's apparent apathy concerning the job street-club workers are doing. And they are not happy, either, about the "totally unrealistic" monetary rewards they receive.

"We are paid exactly what the city and the public think we're worth," Mr. Cumberbatch

says, with a trace of bitterness in his voice. "How can anyone of even reasonable intelligence expect to attract and hold the kind of people needed to give a lost kid the service he needs and wants? We need more workers, but where are we going to get them?

"I think the city understands that we are here for the same reason people join the Peace Corps. We are committed to help the helpless. But we are the helpless, too. What can we do? Throw up our hands in despair? Of course not. You do the best you can with what you have, and hope that somehow you'll get the job done."

NEW YORK CITY IN CRISIS—PART XXIII

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following installment of "New York City in Crisis," which appeared in the February 13, 1965, edition of the New York Herald Tribune.

The rising criminal rate in New York City is of great concern to all of us who live there. This article documents part of the daily tragedy occurring in the Nation's largest city. All of us hope that this upward trend of violence can be halted.

The article follows:

NEW YORK CITY IN CRISIS: FRIGHTENED WOMEN AND RUTHLESS FACTS

(By Barry Gottehrer)

In Morningside Heights, two middle-aged sisters were beaten and robbed in the hallway of their apartment house.

In a middle-class section of the Bronx, a deaf mute was assaulted in front of her home.

None of the women were critically hurt. The city's press would normally not even mention the incidents—not because they were unimportant in the lives of those involved, but because they have become everyday occurrences in the greatest city in the world.

Yet it is precisely the frequency of these everyday occurrences that has created a growing fear among New Yorkers.

For years women have been afraid to walk down the city's slum streets and few people ventured out into the city's parks after dark.

Today it is no longer only the slum streets and the darkened parks that create this fear. Increasingly, as major crimes of violence continue to rise, New Yorkers have become afraid everywhere in the city—in their streets, in their parks, in their subways, in their own homes, at night and during the day.

Yesterday morning in the adolescent section of the Criminal Court Building, Judge Reuben Levy only shook his head as he stared out at the parents of four youths seized by police after the assault and robbery in Morningside Heights early yesterday.

The four youths, each held in $2,500 bail for hearing February 18, were accused in the attack on the two sisters in the hallway of their apartment building at 352 West 110th Street.

Miss Mary Cheller, 52, had two teeth knocked loose and had cuts on her face. Her sister, Mrs. Adele Kubilus, 53, suffered facial cuts and required several stitches.

The youths were identified as Frank Benson, 17, of 2237 Eighth Avenue; Milton Smith, 16, of 512 Manhattan Avenue; Harry Wiltshire, 16, of 1695 Madison Avenue; and Archer Miller, 17, of 658 Greene Avenue, Brooklyn.

Mrs. Sarah Kaminsky, 55, the deaf mute, was assaulted in front of her Bronx home at 2200 Tiebout Avenue Thursday evening. After a short chase, John Watson, an off-duty patrolman, apprehended Melvin Cox Harris, 27, of 1390 Boston Road, the Bronx, who was held in $1,000 bail yesterday, for a hearing in Bronx criminal court on Monday.

This growing fear of violence, which has been sweeping the city in the last year and has driven thousands of residents to seek protection by banding together in citizens patrols throughout the city, was documented statistically with the release of the annual crime figures last week.

According to police figures, major violence throughout New York City jumped 13.8 percent in 1964.

The report shows that 636 murders and nonnegligent manslaughters (an increase of 88 or 16.1 percent), 1,054 forcible rapes (an increase of 231 or 28.1 percent) and 14,831 assaults of all kinds (an increase of 1,806 or 13.9 percent) were committed in 1964.

Now the figures begin to mount for 1965.

The first murder of this year was discovered just 10 minutes past midnight on January 1, in a dark hallway on West 111th Street, several miles away from the well-lighted celebration going on in Times Square. The victim, a 19-year-old youth, had been shot through the heart.

Later in January, two women were slain within 3 days in widely separated sections of the city.

On January 9, Mrs. Gertrude Mason, an airlines clerk, was found stabbed to death in the self-service elevator of her Washington Heights apartment building. She had apparently been slain after an assault attempt following her return home from a 3:30 p.m. to midnight work shift at the East Side terminal in downtown Manhattan.

Early on the morning of January 11, Miss Mary Hernan, was stabbed to death in the lobby of her apartment building on a quiet street in Elmhurst, Queens. Her assailant has not been found—even though several residents of the area saw Miss Hernan being followed home that night, and at least one saw the murderer run away with blood on his hand.

(The witnesses told their stories only under police questioning. None had moved to help the girl, or to call police.)

It is not only the police department, however, which has been unable to quell these fears. Major subway crimes of violence have jumped 52 percent in the last year alone and reports of assaults and other crimes in the city's subways, guarded by the 1,118-member transit authority police, seem to have become an almost daily occurence.

"It's not just the bad areas of the city any more," one middle-aged woman, a resident of a high-income apartment house on Park Avenue, wrote the Herald Tribune in the response to the "New York City in Crisis" series. "It seems to be everywhere. And, the awful thing is that there doesn't seem to be anything we can do about it."

CONDEMNATION OF DISCRIMINATORY PRACTICES OF THE RUMANIAN GOVERNMENT AGAINST THE HUNGARIAN MINORITY

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. PATTEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PATTEN. Mr. Speaker, it is with great pleasure that I join the gentleman from New York [Mr. HALPERN] and other colleagues, in cosponsoring today the resolution which condemns the discriminatory practices of the Rumanian Government against the Hungarian minority.

The charge of discrimination is always a serious one, for it reflects on the character of a person, or country, indicating a lack of reason. Therefore, great care should be exercised in making such a charge.

But the charge of discrimination by the Rumanian Government against the 1,650,000 Hungarians in that country has been substantiated.

The International Commission of Jurists has reported the occurrence of many cases of discrimination by the Government of Rumania.

There is more evidence.

In a comprehensive and disturbing article, "Trouble Over Transylvania," George Bailey wrote the following in the Reporter in November 1964:

This spring, Rumanian authorities announced their intention to demolish the historic church of St. Layos, which they characterized as an eyesore.

The article points out that "to prevent this, several thousand Hungarians took up a day and night vigil for more than a week."

Religious discrimination is not the only kind of prejudice against the Hungarians in Rumania.

Bailey also wrote about cultural discrimination:

The greatest single source of irritation to the Hungarians is the state cultural agreement with Rumania. Strict Rumanian application of the terms of the agreement has prevented the Hungarian Government from any sort of cultural link between the homeland and the minority.

In addition, there are restrictions against Hungarian citizens who are tourists.

And because every dictatorship fears enlightenment of the people, the Rumanian Government even extends its discrimination to the written word.

According to the article in the Reporter magazine:

There were 32 Hungarian newspapers in prewar Rumania; today there is 1.

These are only a few reasons why the House should pass this resolution.

By doing so, the world would know of the discrimination going on in Rumania and expose that Government's policy. With the heavy weight of the free world applying pressure, perhaps this discrimination would be diminished and eventually end.

TAX CREDIT FOR AMOUNTS PAID FOR TUITION CHARGES FOR EDUCATION ABOVE SECONDARY SCHOOL LEVEL

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may ex-

tend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. DANIELS. Mr. Speaker, I have introduced a bill today which would amend the Internal Revenue Code of 1954 by allowing a tax credit for amounts paid for tuition charges for education above the secondary school level.

It is unnecessary to belabor the point that tuition charges have soared during the last few years and that the cost of higher education is becoming prohibitive for thousands of low- and middle-income families.

The bill which I have introduced today would serve a double purpose inasmuch as it would provide relief for families who are laboring under the double burden of high taxes and continually mounting tuition payments.

This bill would provide the greatest relief for those whose need is greatest. It provides for a sliding scale of tax credits, a 75-percent credit for the first $200 of tuition expenses, 25 percent for the next $300, and 10 percent for the next thousand. Thus maximum tax credit would be $325.

Additionally, in order to insure that the benefits provided by this bill do not accrue to those who need tax relief least, I have included a provision that the tax credit be reduced by an amount equal to 1 percent of the amount by which the adjusted gross income exceeds $25,000.

This bill allows a tax credit to any taxpayer who pays tuition charges whether for himself or any other person. It is not limited merely to dependents. In this way, it could provide a major stimulus for philanthropy.

Mr. Speaker, we are all aware of the need for aid to higher education in the United States. In my opinion, there is no better way to provide direct aid to education with less redtape and paperwork than by the passage of this bill. I strongly urge every Member of this House to give serious consideration to this singularly meritorious bill.

AN ARTICLE ENTITLED "IS THE FEDERAL RESERVE SYSTEM REALLY NECESSARY?"

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, the State of Rhode Island counts among its assets many outstanding educational institutions, including one of the oldest in America, Brown University. On leave from this excellent university and serving as the senior economist in the Office of the Comptroller of the Currency is Dr. Deane Carson.

In his capacity as senior economist in this important Government post, Professor Carson also edits the Journal of Finance, which included a fascinating article written by him entitled "Is the Federal Reserve System Really Necessary?"

As a member of the House Banking and Currency Committee, the article was of real interest to me, though I cannot say that I concur with all of Professor Carson's views. I do believe, however, that it is certainly worth reprinting in the CONGRESSIONAL RECORD and the text of the article follows:

[From the Journal of Finance, December 1964]

IS THE FEDERAL RESERVE SYSTEM REALLY NECESSARY?

(By Deane Carson*)

Since 1964 marks the golden anniversary of the Federal Reserve System, the title of this essay may appear somewhat uncharitable to those who have come to think of the Federal Reserve in terms only slightly less affectionate than those accorded to the Old Lady of Threadneedle Street.[1] I hasten to assure the reader that my heresy, if that is what it is, involves principally the word "system"; that is to say, I shall examine the need for a Federal Reserve System as it is presently constituted, quite apart from the generally acknowledged need for central bank monetary policy. While this task might be thought properly to lie within the province of the political scientist, I shall show that, on the contrary, there are many important economic aspects involved in such an inquiry.[2]

Central to the analysis which follows is the proposition that the success of the essential function of the central bank, monetary management, is independent of the structural arrangements that characterize its organization. This is to say, central bank policies can be executed within a variety of organizational structures, both internal as well as external vis à vis the commercial banking system. The Federal Reserve System qua system is but one of a number of such structural arrangements within which a monetary policy can be carried on.

Unfortunately, this fact is little appreciated. A fair sampling of money and banking textbooks, while explicitly silent on the point, leave one to infer that in some unique sense the existing system is a necessary adjunct to the pursuit of successful monetary management. After a chapter or two on the structure of the Federal Reserve System, the student is successively introduced to functions and to policy.

Out of this, or perhaps independent from this, have developed a mythology and a basic fallacy. The mythology has many aspects: it is generally believed that "member banks" are necessary to the conduct of monetary policy; it is generally believed not only that legal reserve requirements are necessary to the conduct of monetary policy but also that these reserves have to be held at the central bank; it is widely if certainly not universally believed that the Federal Reserve banks serve many useful functions that could not and are not performed by private institutions, such as discounting, clearing of checks, and provision of vaults for the safekeeping of securities; and, without exhausting the mythology, a rather substantial sentiment exists to the effect that the whole pyramid of varying authority—the 261 directors of Federal Reserve banks and their branches, the 12-man Open Market Committee, the 7-man Board, and the 12-man Federal Advisory Council—somehow formulates a monetary policy superior to that which could be conjured up by a single Governor of the caliber of Montague Norman or Benjamin Strong.

The fallacy that all this has fostered is simply this: monetary policy, being an extremely complex matter, requires a very complex system to make it operative, and the resources that we now allocate to monetary management are required to maintain a viable central banking function in relation to the goals we have assigned to the Federal Reserve.[3] In opposition to this I would advance the proposition that a simple central banking structure is most conducive to successful monetary management, other things equal, and that we can reduce both its internal and its external costs by adopting certain basic reforms.[4]

Basically, my proposals involve two such reforms which, while perhaps not interdependent at first glance, are closely related in fact. I propose, first, that membership in the Federal Reserve be placed on a completely voluntary basis; and, second, that compulsory legal reserve requirements be abolished. These, together with their corollary structural changes, are discussed in turn below.

I. THE CASE FOR VOLUNTARY MEMBERSHIP

At the present time, State-chartered banks may elect to become members of the Federal Reserve System; banks chartered by Federal authority must become members as a matter of law. This distinction between banks according to the source of charter was initially imposed on the grounds that the purposes of the Federal Reserve Act could only be carried out if a substantial fraction of the cash reserves of commercial banks were mobilized in the Federal Reserve district banks, and if a substantial number of banks had access to the discounting privileges afforded

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* Senior economist, Office of the Comptroller of the Currency, and associate professor of economics (on leave), Brown University. Views expressed in this paper are those of the author and do not necessarily reflect those of the Office of the Comptroller of the Currency.

[1] If the timing of this critique seems somewhat uncharitable, I must fall back on an amusing precedent: Allan Sproul, one of the more astute central bankers in recent times, advocated abolition of the Office of the Comptroller of the Currency in his contribution to a book of essays sponsored by the Comptroller to mark the centennial of the national banking system. See his "The Federal Reserve System—Working Partner of the National Banking System for Half a Century" in Deane Carson (ed.), Banking and Monetary Studies: In Commemoration of the Centennial of the National Banking System, (Homewood, Ill.; Richard D. Irwin Inc., 1963), p. 77.

[2] This has been recognized by Representative WRIGHT PATMAN who has marked the Federal Reserve's 50th milestone in his own inimitable fashion; namely, by a thoroughgoing investigation of the structure of the Federal Reserve System, with an overriding emphasis upon its "independence" and mix of public and private powers.

[3] The recent Patman inquiry (hearings op. cit.), dwelt at some length on this matter although, unfortunately, its shots were so scattered that the essential allocation problem was submerged.

[4] Lack of space prohibits discussion of all such reforms. One in particular deserves separate treatment and cannot be included in this paper; namely, the need to transfer the supervisory functions now performed by the Federal Reserve to some other agency. This has been suggested by at least one present member of the Board, J. L. Robertson, and is reportedly looked upon with favor by others. In any case, the complexity of monetary management would seem to argue for single-minded attention of the Board.

by these regional arms of the Federal Reserve System. Fears that compulsory membership for all commercial banks would compromise the rights of the several States, together with the easy expediency of subjecting federally chartered banks (which were already subject to Federal control) to captive membership in the System, were responsible for the distinction between banks as written into the Federal Reserve Act.

I shall demonstrate in this section that voluntary membership (1) would not, as some have alleged, destroy the effectiveness of monetary management, and (2) would reduce the discrimination against (particularly) smaller federally chartered banks that are now captive members. Initially, we assume that the second part of the suggested reform is not adopted, that is to say, member banks continue to be subject to compulsory legal reserve requirements which must be held with the district banks. This assumption is dropped in section II of the paper.

Our initial task is to estimate the probable results of legislation providing for voluntary membership in the Federal Reserve. Such an estimate is based upon the assumption that national banks of any given size would elect to remain in the System in the same proportion that State-chartered banks of that size are presently members. Since we have data on hand on the assets of member national banks, and member State banks in various size groups, estimates can easily be generated. Tables 1 and 2 provide the basic data for these estimates. By summing the totals for various classes of banks in table 1, we observe that insured bank assets total $310.8 billion at the end of December 1963. Next, summing the totals of column 7 in each table, we find that if all insured commercial banks were accorded the right to forgo System membership, something like $98.1 billion of commercial bank assets would be "outside" the Federal Reserve. This represents 31.5 percent of total assets.

The effectiveness of monetary policy depends to some extent on the pervasiveness of its impact and possibly but not clearly upon the percentage of banking institutions that have access to the discount window.[5] Any correlation between policy effectiveness and number of member banks, however, must certainly be weak, since the impact of scarce or ample funds would not appear to depend upon the presence of Federal Reserve stock in the portifolio of any particular bank. Furthermore, our highly developed system of correspondent banking relationships insures that monetary policy changes will be transmitted to the entire banking structure. I would certainly argue, in any case, that the effectiveness of monetary policy with 68.5 percent of commercial bank assets covered will be no less than when 90 or 100 percent coverage obtains.[6] Since the reasons for this are covered in the following section, they need not be considered here.

TABLE 1.—*Number and assets of insured commercial banks, by size, December 1963*

[Dollar amounts in millions]

Deposit size (millions of dollars)	National		State member		Insured nonmember	
	Number of banks	Assets	Number of banks	Assets	Number of banks	Assets
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Less than 1	132	$123	24	$22	630	$535
1 to 1.9	388	702	131	224	1,665	2,766
2 to 4.9	1,316	5,100	465	1,758	2,563	9,228
5 to 9.9	1,145	9,082	328	2,530	1,282	9,760
10 to 24.9	935	16,037	277	4,647	688	11,314
25 to 49.9	329	12,739	104	4,068	144	5,434
50 to 99.9	167	13,257	68	5,549	48	3,573
100 to 499.9	164	41,052	64	15,170	30	6,102
500 and over	39	72,143	27	57,337	1	677
Total	4,615	170,233	1,488	91,215	7,051	49,390

TABLE 2.—*Estimate of assets of nonmember national banks if membership were optional*

[Dollar amounts in millions]

Deposit size (millions of dollars)	Assets of—		Assets of insured nonmember banks as percent of insured State banks	Assets of national banks	Assets of national banks that would would be nonmembers (col 3 times col 4)	Cumulative nonmember assets
	Insured State banks	Insured nonmember banks				
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Less than 1	$557	$535	96.1	$123	$118	$118
1 to 1.9	2,990	2,766	92.5	702	649	767
2 to 4.9	10,986	9,228	84.0	5,100	4,284	5,015
5 to 9.9	12,290	9,760	79.4	9,082	7,212	12,263
10 to 24.9	15,961	11,314	70.9	16,037	11,368	23,531
25 to 49.9	9,502	5,433	57.2	12,739	7,285	30,816
50 to 99.9	9,032	3,573	39.6	13,257	5,244	36,060
100 to 499.9	21,272	6,102	28.7	41,052	11,776	47,836
500 and over	58,014	677	1.2	72,143	842	48,678

An alternative to the voluntary membership proposal discussed above would provide for compulsory membership of all insured commercial banks above a given size. The cutoff asset size that has been occasionally mentioned is $10 million. Under this proposal, obviously, larger nonmember State banks would be required to join, while all national banks under the cutoff size would be afforded the choice now open to State-chartered banks. For the latest available data (end of 1963) I have calculated that this cutoff point would reduce "covered" assets by only approximately $6.2 billion under the extreme assumption that all national banks with less than $10 million total assets elect to forgo Federal Reserve membership. At the same time, voluntary membership would be extended to approximately 77 percent of all insured commercial banks, from the present 66 percent.[7]

On its face, this proposal would seem to be a superior alternative to completely voluntary membership. And indeed, it probably is a more satisfactory basis for discrimination than that found in the present law. On the other hand, its superiority to complete voluntarism can only be defended on the grounds that effective monetary policy requires that a large proportion of the reserves of the commercial banks be held in the form of compulsory balances at the Reserve banks. More precisely, it requires the finding of a positive correlation between effectiveness of monetary policy and the percent of total bank reserves held within the System. Again this is properly a matter for consideration in section II and is therefore postponed for the moment.

There are, however, clear advantages to the completely voluntary membership proposal. Certainly the most important of these is that it would enable all insured banks to choose between public and private supplies of banking services to banks. In this connection it is worthy of note that large private banks, as correspondents, now provide a very wide range of such services on terms that are clearly superior to similar services provided by the Federal Reserve banks. Among the more important of the latter are check-clearing arrangements, temporary loan accommodation, credit and operations analysis, and provision of economic information. Small national banks find it convenient to utilize these privately supplied services, against which they must carry correspondent balances, in spite of the fact that they must also carry legal reserves with the district banks. In effect, compulsory membership imposes a discriminatory burden on these banks in the form of double cash balances.

Table 3 demonstrates the extent to which Federal Reserve membership leads to this result.

It indicates a consistent pattern of higher cash holdings to total assets for member banks than for nonmember banks. This is not due to lower reserve requirements for State-chartered banks; indeed, of the selected States, nine have substantially higher reserve requirements than those currently imposed by the Federal Reserve,[8] six States impose legal reserve requirements that are substantially the same as System requirements,[9] and only two States[10] have reserve requirements that are substantially less than the Federal Reserve's 12.5 percent and 4 percent requirements against demand deposits and time deposits, respectively.

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[5] Under present law the Federal Reserve banks can technically make advances to nonmember banks under 12 U.S.C. 347c.

[6] As a matter of fact, the middle 1920's are often considered years of effective monetary policy; at that time approximately 69 percent of commercial bank assets were covered.

[7] Table 1.

[8] Wyoming (20 and 10 DD and TD); Alaska (20 and 8); Idaho (15 percent of all deposits); Kansas (12½–20 and 5); West Virginia (15 and 5); South Dakota (12–20 depending on size but ½ may be held in bonds); New Hampshire (15 and 15); Vermont (30 and 8); and Mississippi (15–25 and 7–10).

[9] New Mexico and New Jersey (12 and 4); Hawaii, Connecticut, and Maine (12 and 5); and District of Columbia (12½ and 4).

[10] North Dakota (10 and 5); and South Carolina (7 and 3).

TABLE 3.—*Cash and balances with banks as a percentage of total assets of National, State member, and State nonmember banks in selected areas,[1] June 29, 1963*

State or area	National banks	State chartered member banks	State chartered nonmember banks
United States	17.6	18.4	12.5
Alaska	12.9		13.0
Connecticut	17.5	18.3	10.4
District of Columbia	18.3	16.4	14.5
Hawaii	17.1		12.4
Idaho	11.8	12.4	11.7
Kansas	18.6	17.9	14.1
Maine	13.8	12.9	9.2
Mississippi	18.6	18.5	16.7
New Hampshire	17.6		[2] 6.2
New Jersey	12.9	12.5	10.5
New Mexico	17.7	18.5	15.0
North Dakota	12.6		[3] 9.4
South Carolina	20.3	16.4	15.2
South Dakota	13.4	13.6	11.3
Vermont	11.4		6.8
West Virginia	17.2	19.2	12.7
Wyoming	15.2	17.2	14.0

[1] States were selected to exclude all those in which banks subject to Reserve city legal reserve requirements were in operation.
[2] Includes 20 banks, 1 of which was a member bank.
[3] Includes 115 banks, 2 of which were member banks.

Source: FDIC Assets, Liabilities, and Capital Accounts of Commercial, and Mutual Savings Banks, Mar. 18 and June 29, 1963.

The clear implication of these comparisons is that membership in the Federal Reserve leads banks to hold a higher proportion of their assets in cash than is considered necessary by banks that are not in the System. From this we deduce that compulsory membership of national banks, where it is due to a locked-in effect,[11] discriminates without economic justification against banks holding Federal charters. In effect, captive banks, particularly the smaller national banks, maintain sterile cash reserves required by law for which they receive few compensating benefits; in order to carry on their business, they also must carry correspondent balances which do bear a return in the form of needed services. Nonmember banks, which may and almost invariably do make their legal reserves serve double duty as service generating correspondent balances, are placed in a position of competitive advantage.

While the inequity of present membership requirements would be somewhat modified if compulsory membership were adopted, discrimination would not be eliminated. Indeed, while discrimination by charter would be avoided, total inequity might well increase. Under compulsory membership all banks that find privately produced bank services to banks superior to those provided by the Federal Reserve would be deprived of the choice now accorded to State banks. Since it is principally the larger banks that find Federal Reserve membership attractive, such a plan would tend to discriminate against small banks in general rather than against a particular segment of this group.

II. THE NEED FOR RESERVE REQUIREMENTS AND RESERVE BALANCES AT THE FEDERAL RESERVE BANKS

Desired cash holdings of the banking system limit the marginal expansion of bank deposits and, to the extent that they are influenced by legal reserve requirements, it can be said that the latter serve as a fulcrum for credit control. More precisely, however, the monetary control mechanism operates via changes in the level of total reserves relative to desired cash holdings of the banking system. I shall contend in this section that the necessity for legal reserve requirements and minimum cash balances at Federal Reserve banks is a function of the particular objectives of Federal Reserve policy; I shall further argue that the locus of the banking system's cash reserves is of little significance with respect to either the structure of the Federal Reserve System, or its effectiveness as a central bank.

A. The functions of Reserve requirements and a proposal: Reserve requirement changes are a substitute for open market operations.[12] An initial justification for the existence of legal reserve requirements is, therefore, that their levels can be changed, and with them monetary and credit expansion potentials. It is not within the scope of this discussion to weigh the merits of changes in reserve requirements versus changes in the open market portfolio of the central bank. In a zero percent reserve requirement banking system, however, it must be recognized that the substitute, imperfect as it now is from the standpoint of effectuating monetary control, would no longer exist.

It can be argued, therefore, that some future situation might arise that would call for the raising of reserve requirements, even though the Federal Reserve Board has not seen a need to do so since February 1951, 13 years and several business expansions ago.[13] I recognize this possibility as a defect in the plan, but a defect which could be easily remedied through congressional action, given the compelling circumstances that would give rise to the need.

Quite apart from the above, a great deal of emphasis has been given to the level of legal reserve requirements as a base which limits the potential expansion of money and credit. Arithmetical exercises in standard textbooks "prove" that the height of reserve requirements determines the maximum expansion potential of any given amount of excess reserves, subject to assumptions that are usually specified.[14] It is not at all clear that this fact is relevant to the functionality of legal reserve requirements. In the first place, banks individually and in the aggregate would hold some level of desired cash reserves against deposits in the absence of legal requirements,[15] thus providing the "base" for monetary and credit expansion (or contraction).

In the second place, since the levels of reserve requirements have been progressively lowered (with few reversals) in the postwar period without appreciably affecting the performance of monetary policy, the question can be raised as to why they are at all necessary in the present context—that is, as a limitation on the potential expansion of money and credit.

Cash reserves can be controlled by open market operations, and the tone of the market observed by the simple device of central bank hypothication of the market's desired level of bank cash reserves. Given continuation of reporting requirements, the device of "shadow reserve requirements" [16] suggested here would enable the central bank to observe "excess reserves," "free reserves" and "net borrowed reserves" as indicators of money market conditions without the necessity of formal requirements.

The plan would work in the following way: suppose the Federal Reserve Board were to announce that it considered x percent of deposits (details aside) an appropriate level of cash reserves for the commercial banks (or some segment of the banking system).[17] Periodic reports to the Federal Reserve on actual cash holdings and deposits would give the monetary authorities precisely the same "feel of the market" that they now require to conduct defensive open market operations to offset very short-term disturbances in the money market.

It is of course a debatable question whether offsetting these changes is an appropriate objective of monetary control in the pursuit of longer range goals of full employment, price level stability, and economic expansion. Many would argue that day-to-day fluctuations in cash reserves need not interfere with the achievement of an appropriate level of change in the money supply which, after all, is the most important means of realizing the goals. Beyond this, it has been argued persuasively that free reserves are a misleading guide for monetary management.[18]

B. Slippage effects of the zero reserve requirement proposal: The proposal set out in skeleton form above [19] raises a very obvious question:

Will the abolition of reserve requirements increase the slippage that now exists between policy actions and policy results? Contrary to one's first inclination to answer affirmatively, it is not at all certain that this should be the case.

We are not concerned with slippages in general, but rather with one segment of the total lag between policy actions and their ultimate effects upon income and prices. This segment is the initial one, that which spans the sequence between a change in total cash reserves of the commercial banks and the employment of these reserves in loans and investments.

While this is basically an empirical question, intuition leads to the belief that if banks individually and collectively are in equilibrium (in the sense that their cash to deposit ratios are at the desired level), changes in cash reserves occasioned by open market operations will elicit responses quickly and in the right direction. If the Federal

[11] All national banks, of course, could escape the burdens of membership by changing to State charters. The costs of this, however, are quite high in many cases. When a bank changes its charter it must also change its name, entailing considerable out-of-pocket expenses and loss of goodwill. It is not reasonable to impose this cost in order to reduce other costs that have no economic justification, and where a reasonable alternative remedy is at hand.

[12] Cf. Joseph Aschheim, "Techniques of Monetary Control" (Baltimore: The Johns Hopkins Press, 1961), ch. II.

[13] On Nov. 26, 1960, the Board raised country bank reserve requirements from 11 to 12 percent, while simultaneously permitting the calculation of vault cash in the reserve base. This increase was a technical adjustment to the inclusion of vault cash and therefore does not count as a monetary policy action.

[14] Zero desired excess reserves, and no change in cash in circulation.

[15] For example, State chartered banks in Illinois are not subject to reserve requirements, yet they keep something in the order of 12 percent of their deposits in cash.

[16] I am indebted to Sherman Shapiro for coining this phrase to describe the mechanism.

[17] It is not necessary to make such an announcement to generate the statistical indicators. However, an announced level of appropriate reserves would benefit portfolio managers and managers of reserve positions in that it would remove one source of uncertainty as to central bank policy that would exist if the announcement were not made.

[18] Cf. A. James Meigs, "Free Reserves and the Money Supply" (Chicago: The University of Chicago Press, 1962).

[19] Rather than extend this essay unduly by discussing the details of the proposal (transition problems, the eligibility of various cash assets for reserve computation, and other technicalities), I choose to leave these to future discussion.

Reserve purchases securities (presumably, but not necessarily with Federal Reserve notes), the banks will find actual cash in excess of desired cash, and will take steps (loans, investments) to return to equilibrium.

On the other hand, sales of securities by the central bank will push the banks into equilibrium in the opposite direction. If the Federal Reserve retains its discount window, the deficit banks could choose between "borrowing" from themselves and borrowing from the Federal Reserve bank. As Sprinkel has pointed out, the discount window is itself an institutionally sanctioned source of slippage; [20] I would suggest that its usefulness would depart with the demise of legal reserve requirements.

In effect each bank would have its own discount window; but we know that banks eschew borrowing as sin, and there is no reason to believe that this attitude would change just because the lender was the bank itself. I suspect that loan and investment officers would keep an even sharper eye on the actual cash ratio than they now do on the free reserve position. Temporary departures from desired equilibrium would occasion furrowed brows in the board room and charges to the operating officers to "get the cash ratio back where it is supposed to be."

Over the monetary cycle the banks might well change their levels of desired cash reserves relative to deposits in a way that would counteract monetary policy. But this is hardly a peculiar defect of the zero reserve requirement proposal, since in effect precisely the same thing occurs with existing legal reserve requirements.

III. CONCLUSIONS

I have presented the case for voluntary membership in the Federal Reserve and a system of zero required cash reserves. The Federal Reserve System has evolved in the past half century into a vast and cumbersome machine; a quasi-private organization, its regional staffs have grown far out of proportion to their importance in conducting monetary policy. The tourist business in Maine may indeed be an important area of economic inquiry, but it is difficult to see its connection with the goals of monetary control. The district Federal Reserve banks engage in such irrelevancies simply because of the archaic notion of membership in the Federal Reserve System. Catering to the banks to induce them to retain membership diverts a good deal of the attention of our monetary authorities from the main business at hand. Voluntary membership would go far toward a solution to this problem.

Reserve requirements are unnecessary to the effective conduct of monetary policy. They impose a tax on member banks that might well be levied in another way, if the revenue is needed or a need exists for penalizing this particular industry. Since they serve no liquidity purpose, it is extremely difficulty to justify their existence.

[20] Beryl Sprinkel, "Monetary Growth as an Economic Predictor," Journal of Finance, September 1959, p. 342.

BYELORUSSIA'S INDEPENDENCE ANNIVERSAY

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. KELLY] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mrs. KELLY. Mr. Speaker, I wish to join with my colleagues in observing this 47th anniversary of the proclamation of Byelorussia's independence.

As we all know, the Byelorussian Soviet Socialist Republic was a founding member of the United Nations and, by virtue of its membership in that organization, continues to lay claim to the status accorded in international relations to sovereign states. However, the resemblance between the Byelorussian S.S.R. and any truly sovereign state ends there. The Byelorussian S.S.R. is an integral part of the Soviet Union, ruled from Moscow.

There is every evidence that the people of Byelorussia have not acceded to, nor are happy with, this status. During the many years that Byelorussia has been incorporated in the Soviet Union, exploitation and persecution of her people by authorities responsive to Moscow has been the rule, rather than an exception. As a consequence of this treatment, and massive deportations, the population of the Byelorussian S.S.R. is reported to be smaller today than it was a quarter of a century ago.

A further indication of the tragic plight of the people of Byelorussia appears in reports that additional massive deportations of her people have been decreed recently. According to these reports, over 2 million Byelorussians are to be removed from their lands and resettled elsewhere in the Soviet Union.

Mr. Speaker, as chairman of the Subcommittee on Europe of the Committee on Foreign Affairs, I have been deeply concerned about the fate of the millions of people who live east of what is still, to a large degree, the Iron Curtain. I believe that the people of those lands, just like the people of other continents, have the right to choose the form of government under which they wish to live, and to organize their societies in accordance with their own national aspirations. It is quite obvious that this basic right is being denied to them today.

In commemorating this anniversary of the proclmation of Byelorussian independence, I wish to repeat my earnest hope that the day may soon arrive when the peoples of Eastern Europe may be able to live in peace and liberty. Our great Nation, dedicated to the principle of self-determintaion for all peoples, must continue to work for that goal.

RETIRING SECRETARY OF THE TREASURY DOUGLAS DILLON REJECTS TIGHT MONEY POLICY SUPPORTED BY BANKERS LOBBY AT SECRET NEW JERSEY MEETING WITH EUROPEANS

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PATMAN. Mr. Speaker, last spring I commended Secretary of the Treasury Dillon for his act of financial statesmanship before the International Monetary Conference of the American Bankers Association in Vienna, Austria. Mr. Dillon warned that august assemblage of money lenders that we must not chance stifling our domestic economy by frantic efforts to correct our international payments deficit through higher interest rates and tighter money. Not only was that an act of statesmanship, in my book it was an act of sheer courage. Bankers generally do not welcome remarks not calling for higher interest rates, higher bank profits.

Secretary Dillon's sound advice did not deter the American Bankers Association for long, however. At their 1964 annual convention at Miami Beach last October, the ABA passed a resolution calling for tighter money. This advice was rejected by all but the Federal Reserve Board which within 30 days of the ABA command hiked the discount rate to 4 percent. This is what a logician would call "cause and effect."

In any event, Mr. Speaker, once more it is my pleasure to heartily congratulate Secretary Dillon for his firm stand against higher interest rates taken last week at the Princeton, N.J., nonpublic meeting of—you guessed it—the American Bankers Association. It is indeed gratifying that the Secretary reaffirmed his position on these vital questions of interest rates and monetary policy as one of his last official acts as Secretary of the Treasury.

About a tighter money policy Mr. Dillon gave the Princeton gathering, which included a number of continental European high interest, tight money experts, some good, sound advice:

> But even granting that assumption [tight money and high interest rates], such a policy would surely be self-defeating. Before it could achieve the interest rate objective, the extreme restriction of credit would surely move us toward domestic recession, and at a time when our economy is already failing to use its resources to the full. A recession would, in turn, delay our fundamental aim of creating a more favorable climate for investment in the United States. At the same time, it would rapidly create forces for easy money that would be likely to prove irresistible. Thus, the end result would not be an improvement but rather an aggravation of our balance-of-payments problem.

In closing, Secretary Dillon challenged the bankers to support President Johnson's voluntary balance-of-payments program.

Douglas Dillon deserves the thanks of the American people for a job well done. I wish him well on his return to private life.

REMARKS BY THE HONORABLE DOUGLAS DILLON, SECRETARY OF THE TREASURY, BEFORE THE 13TH ANNUAL MONETARY CONFERENCE OF THE AMERICAN BANKERS ASSOCIATION AT PRINCETON INN, PRINCETON, N.J., FRIDAY, MARCH 19, 1965

This is the fourth year in which I have had the special privilege of addressing this conference of distinguished leaders in the world of finance. These have been years of remarkable innovation in financial practices and policies—public and private—both within the United States and abroad. Internationally, we have fashioned a frame-

work for mutual consultation and cooperation that—measured against our common objectives of steady growth and flourishing world trade, coupled with substantial price stability—has proved both durable and viable.

But, despite much excellent progress, our international financial system still suffers from a disturbing disequilibrium—one I have discussed with you on previous occasions. This is the seemingly chronic tendency for capital to flow between countries in directions and in amounts that impede the entire process of restoring balance in the payments of deficit and surplus countries alike.

The group of 10, in their recent study of the international monetary system, concluded unanimously that ways must be found to improve the process of balance-of-payments adjustment. The United States wholeheartedly joined in that conclusion and welcomes the systematic studies of this matter now underway in working party III of the OECD. However, if these studies are to have truly useful results they must face up to the stubborn and extremely difficult problem posed by the deep structural imbalances in the world's capital markets that have enormously complicated the smooth functioning of the adjustment mechanism.

The nature of the problem is clearly illustrated by developments in our balance of payments last year. By 1964, the measures we had undertaken to improve our trade position and to reduce the balance-of-payments impact of our aid and defense programs had achieved visible and gratifying results. Yet, as you know, our deficit last year was once again disappointingly large, primarily because capital had poured out of the United States in unprecedented amounts—in significant part to the strong surplus countries of Western Europe. The recent annual report of the Monetary Commission of the European Economic Community highlighted this point, noting that an improvement of about $3 billion in U.S. transactions for goods and services and Government accounts had been largely offset by a $2 billion increase in private capital outflows.

Within the basic limitations set by the needs of an underemployed domestic economy, the United States throughout the last 4 years had been alert to the fact that excessively easy money at home could only aggravate the problem of capital outflows. By shifting much of the burden for promoting domestic expansion to fiscal policy and tax reduction, we have enabled our monetary authorities to move gradually, but steadily, to an essentially neutral monetary policy.

Our short-term market interest rates have climbed significantly since the 1960–61 recession, responding largely to two half-point increases in the discount rate. With the discount rate now at 4 percent, Treasury bill yields are within one-half percent or so of their postwar high—a high reached only briefly during the period of very tight money in 1959. Loan-deposit ratios of banks have gradually climed to a postwar peak, and other traditional measures of bank liquidity have confirmed a gradual tightening in their position. The Federal Reserve has rather steadily reduced the free reserves of the banking system, and, for the past month, the banks have actually operated with a small net borrowed reserve position. While corporate cash flow has remained high, liquidity ratios have reached the lowest levels in a quarter of a century.

Clearly, credit has remained readily available in the United States throughout this period, and our bank lending and long-term interest rates are still low relative to most other countries. But it is also a palpable fact that rising investment opportunities and credit demands at home, combined with increases in the Federal Reserve discount rate and greater restraint in the provision of bank reserves, have noticeably reduced the ease of our market. Yet, instead of declining in response to these developments, the capital outflow has accelerated.

This fact alone casts into doubt the thesis of those who view the problem almost entirely in terms of excessive domestic liquidity, with tighter monetary policy the simple, effective, and unique remedy. Naturally, if one defines an excess of liquidity as synonymous with an excessive capital outflow, I suppose that position would be unassailable. But that kind of analysis bears no realistic relationship to the difficulty we face today. All it does is to define away the substance of a very real and tough problem.

In my judgment, it is much more enlightening—although still not the entire answer—to analyze the problem in terms of differences in investment profitability, rather than in terms of liquidity. Consider, for example, the outflow of funds for direct investment abroad, which has continued to rise, reaching $2.3 billion in 1964. At the present time, many American firms clearly believe that a portion of their available resources can be most profitably invested in subsidiaries abroad. That calculation rests on a variety of familiar considerations—the more rapid growth of certain foreign markets; a desire to operate inside a wall of external tariffs; proximity to readily available raw materials; and lower production costs—to name some of the most obvious factors.

But perhaps most important of all is the fact that U.S. industrial development so far exceeds that of any other country. This has brought with it a degree of competition that is unknown anywhere else in the world. Add to this our enormous flow of savings, and it is not surprising to find a general acceptance of lower rates of return on capital in this country than prevail elsewhere—rates that only partially reflect differences in risks between investments here and abroad. At the same time, our businessmen and investors tend to place higher capital values on prospective earnings than is the case elsewhere, and our corporations at times find it attractive to pay higher prices in the acquisition of going concerns abroad than would seem reasonable to local investors.

Whatever the specific reason that particular direct investments abroad appear to a given company to be a more profitable use for its funds, the fact is that we cannot effectively influence this judgment by simply reducing liquidity and tightening credit at home. So long as the basic difference in profitability remains, any gain in terms of reduced foreign investment will entail a substantially larger cost in terms of dampening domestic investment as well. There seems, therefore, little warrant either in theory or in practice for basing economic policy on a presumption that corporate managers will permit considerations of the rate and availability of bank credit to affect their decisions on foreign investment, while leaving the domestic economy untouched.

In the broadest sense, international differences in the rate of return on investment—as these differences are reflected in interest rates and the intensity of demands for credit—also lie behind the accelerating outflow of bank loans and other credits abroad. This structural imbalance forced us to propose the interest equalization tax during the summer of 1963. It effectively increased the cost of long-term portfolio credit to foreigners in developed countries. As a result the outflow of long-term portfolio capital in 1964 dropped back to the 1960 level.

The plain fact is that foreign borrowers are willing and able to pay higher rates than domestic borrowers of similar credit standing with free access to the vast resources of the American credit market, and foreign loans are thus in many instances more profitable to the lending banks. The same is true for the placement of liquid funds by our corporations. But the massive outflow of these types of credit is also related to other deep-seated structural characteristics of American and foreign capital markets.

As you know, with rare exceptions, foreign financial markets, even in countries with the most highly developed economies, lack a large and fluid short-term money market. Long-term bond markets are usually even more constricted. As a result, in most other countries there is simply no effective mechanism by which private borrowers and lenders—and to a very considerable extent governments—can readily raise or dispose of large sums in short periods of time in the open market. Instead, the available funds within each country are channeled almost entirely through a relatively few big institutions dealing with individual customers on a personalized basis. These institutional markets are fairly well insulated from the short-term money market, and frequently respond only sluggishly if at all to the actions of the monetary authorities.

The fluidity and size of the market available to most private borrowers abroad is further impaired by the fact that many foreign governments preempt a very large fraction of the savings available for investment, or direct it into officially sanctioned uses, frequently with a sizable subsidy for preferred borrowers added along the way. This is partly a natural result of basic social decisions to provide, through government social insurance programs, the protection for citizens that we in the United States furnish to a much larger extent through private insurance and private industry. But, it is also a reflection, in many instances, of a conscious desire to provide special preferences to one major group of borrowers or another, and to maintain a high degree of government control of national economic development. In either case, the natural result is to leave those businesses and other borrowers that must look to the remainder of the market more or less perpetually starved for funds, and with an impelling desire to seek needed capital from abroad.

All of these factors have contributed to a structure of long-term interest rates in Europe that, with only one or two exceptions, has remained throughout the postwar period at levels that, in the light of past history, are unusually high. Official discount rates, and the money market rates more immediately influenced by the official rates, often bear little relationship to the load charges payable by local borrowers. And, faced with constricted internal markets, and thus denied a full range of fiscal and monetary tools, the authorities themselves often find it essential to pursue essentially domestic credit objectives—and in some instances even to finance internal budgetary needs—through adjustments in external flows of funds. Sometimes this is done by borrowing directly from abroad and sometimes by seeking to influence the external borrowing or placement of funds by their commercial banks.

The sheer size of the U.S. economy and the tremendous volume of funds raised in our credit markets—estimated last year at over $70 billion—help account for the much greater fluidity of our markets and their ability to adjust to, and absorb, large domestic or foreign demands with relative ease. But it is not a question of size alone. The relative freedom of the market mechanism, and the intensity of competitive pressures among institutions with a wide variety of investment options, permit funds to flow promptly from one sector of our economy to another in response to changing demands. And, a long history of confidence in our currency, further fortified by the stability of our prices in recent years, has encouraged individuals and investment institutions to commit funds freely at long term.

As a result of the pressure of the huge volume of private savings seeking investment

in our market, our long-term interest rate structure has remained essentially stable during the past 4 years, even though money market rates have risen by 1½ percent or more to a range of 4 to 4½ percent. As a result, the differential between short- and long-term rates has almost disappeared. Nevertheless, the bond market has continued to absorb a record volume of long-term financing at stable rate levels.

Another indication of the strength of our longer term markets is that, over the past 4 years, they have not merely provided the vast amount of funds necessary to support high levels of homebuilding, a remarkable expansion in business investment, and the rapidly growing needs of our States and localities. They have also provided funds to the Government, equal to the entire $28.8 billion Federal deficit during the first 4 years of this administration. During that period more than that amount was placed in savings bonds and marketable debt maturing in over 5 years. This achievement is reflected in the increase of almost 1 year or 20 percent in the average length of the marketable debt to a level last seen in mid-1956.

In this setting we could not expect moderately tighter monetary policies to bring the needed reduction in the outflow of long-term funds abroad. The disparities in the structure of the capital markets of our different countries are simply too great to permit us to rely heavily on that approach toward adjustment. Much more is needed to bring interest rates here and in other industrialized countries into the rough alinement that is surely necessary if we are to put a permanent end to the destabilizing capital flows that have characterized the past 2 years.

It might, of course, be argued that extremely tight money would be able to do the job if continued over a long enough period. Such a policy rests on the highly doubtful assumption that in spite of our huge volume of savings it would be technically feasible—perhaps by drastically reducing the money supply—to raise the general level of our bank and long-term interest rates by the 1½ to 2 percent that would be needed to achieve interest rate parity with Europe.

But even granting that assumption, such a policy would surely be self-defeating. Before it could achieve the interest rate objective, the extreme restriction of credit would surely move us toward domestic recession, and at a time when our economy is already failing to use its resources to the full. A recession would, in turn, delay our fundamental aim of creating a more favorable climate for investment in the United States. At the same time, it would rapidly create forces for easy money that would be likely to prove irresistible. Thus the end result would not be an improvement but rather an aggravation of our balance-of-payments problem.

To cite these limitations and difficulties in the use of monetary policy is not, of course, to say that monetary policy does not have a useful and indeed essential role to play in helping the adjustment process in the United States, as in other countries. It has played such a role, is playing such a role now, and will continue to do so in the future. In fact, as I suggested earlier, one of our chief reasons for relying primarily upon fiscal policy to stimulate the domestic economy was to give monetary policy additional freedom in coping with our balance-of-payments problem. And I can assure you that monetary policy remains fully available for further use should the need arise. But I see no realistic prospect that the full burden for achieving a permanent international adjustment in capital flows can reasonably be thrust on American monetary policy alone now or in the forseeable future.

Instead, as I have suggested before to this group, the only really satisfactory long-range solution to our present problem of excessive capital outflows lies in achieving a more attractive environment for investment within the United States through tax reduction and sustained growth, together with the development of far larger, far more efficient and far more flexible capital markets abroad. While there has been some encouraging progress in both of these directions, much more remains to be done.

These are, of course, long-run measures, and their influence on capital flows must be expected to emerge only slowly. For the time being, the existing disequilibrium—and the urgency of reducing our deficit—has required that we seek the cooperation of our banks and other financial institutions, as well as of our industrial firms, in voluntarily reducing the flow of capital abroad. The response of those asked to participate in this voluntary program has been most gratifying. The effects are already clearly visible both in the foreign exchange markets and in our preliminary payments statistics which point to a sharp and favorable change since mid-February. But two swallows don't make a summer. We need a considerable period of balance to offset the deficits of the past. We know we can count on your cooperation in achieving this vitally needed result.

But the success of our present program does not, of course, meet the basic problem. The nations of the free world, working together, must develop better means for influencing capital flows within a basic framework of free markets and national objectives—and without placing intolerable burdens either upon monetary policy or upon the resources of the international monetary system.

We must be under no illusion that a different or improved international monetary system could in any way eliminate the need for adjusting these flows. But these two questions are nonetheless related, for one of the basic functions of the international monetary system is to provide sufficient means for financing deficits and surpluses to permit the working out of an orderly process of adjustment.

This linkage between the process of adjustment and the international monetary system seems to me to be at the source of much of the confusion and difficulty evident in recent international efforts to develop a common approach toward the further evolution of the international payments system. All the major countries are fully agreed, I believe, on the need for developing an assured method of generating international liquidity in adequate, but no excessive, amounts as world trade and production increases over the years ahead. This much clearly emerged from the studies of the group of 10 and the International Monetary Fund last year.

But in recent months, there has been little progress toward more concrete agreement on methods and approaches. The pronounced divergencies in view that have become evident can, I believe, be traced in good part to quite different assumptions about the relationship of international monetary reform to the current U.S. payments deficit.

The overriding need, in one European view, is to develop a mechanism which would force a prompt end to our payments of deficits. We fully agree with these European friends on the necessity for achieving early balance in our international accounts. And we intend to achieve this goal by our own actions, which now for the first time cover all aspects of our payments problem.

But, in assessing the problems of the international monetary system, our concern and that of a number of other countries has been to look toward the future, when there will no longer be an American payments deficit pumping dollars into the reserves of other countries. So the thrust of our thinking has been to find the best way of developing supplementary means of providing the liquidity that is likely to be needed. We feel that this can only be done gradually and by building on what we now have. And we emphatically disagree with the thesis recently propounded in some quarters which would turn back the clock and embrace an outmoded and highly restrictive system—a system that would surely cripple the growth of international trade and commerce as our deficit was ended.

Under the circumstances, with these broad differences of approach, any final resolution of the variety of issues that have been raised seems to me highly unlikely until the United States has brought its international payments into balance. As that is done it will become less and less easy to ignore the potential need for supplementary sources of reserve assets and international credit facilities. Meanwhile, difficult and time consuming technical studies are well underway under the auspices of the group of 10, helping to clarify the issues and to evaluate alternative techniques. These studies will, I believe, provide the basis for timely agreements on ways and means for improving the present monetary system well in advance of any urgent need.

In looking back on the past 4 years, and on the postwar period as a whole, there can be no question that the present system—anchored on gold and the dollar, and effectively supplemented by the International Monetary Fund—has served the world well. The extremes of inflation and deflation characteristic of other postwar periods have been avoided. Barriers to trade have been lowered or removed. And, in this environment, the vast productive capabilities of the free world have been released to the benefit of us all.

The challenge for the future is to build further on this system, recognizing its potential weaknesses and shortcomings, but preserving the elements of strength and flexibility that have contributed so much to our progress.

In this area, as in the area of adjusting capital flows, I have no fixed blueprint to offer to those who will share the responsibility for developing solutions. I remain confident, however, that solutions can and will be found, provided only that the United States discharges its own immediate responsibility to maintain the full strength of the dollar as the world's primary reserve currency by achieving an early balance in its international accounts. And with the help of you gentlemen that is exactly what we are going to do.

CHIEF AIM OF OUR FOREIGN POLICY SHOULD BE TO ENCOURAGE THE EVOLUTION OF A WORLD OF INDEPENDENT, VIABLE NATIONS

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, the Pentagon should be reminded that the chief aim of our foreign policy is to encourage the evolution of a world of independent, viable nations, all or most of whom would look upon our country with respect, if not friendship, and as a consequence would tend to pattern their cultures in the mold of the free society.

It is a part of the Pentagon's job to implement this foreign policy. Wars are not wholly military. There are human

and psychological aspects, and the battle for men's minds is frequently more important than the military.

The use of gas in Vietnam is a step backwards of incalculable magnitude. It is not worthy of our great Nation. Its military value cannot possibly counterbalance the wave of disapproval and dismay that has swept the world.

I found this morning's comments of the New York Times and the Washington Post particularly appropriate, and the texts of the editorials follow:

GAS (NONLETHAL) IN VIETNAM

The United States, in steady escalation of the Vietnamese conflict, is now revealed to have employed a nonlethal gas. It is possible to argue, as American military and civilian spokesmen do, that military objectives can be achieved with fewer casualties by using a gas that does not kill.

This argument overlooks one vital factor; and it displays, at the very least, a lack of imagination somewhere in the top echelons of the Armed Forces. People—ordinary people everywhere—have a strong psychological revulsion, if not horror, at the idea of any kind of poisonous gas, even a temporarily disabling type that only causes extreme discomfort including nausea and diarrhea when used against ordinarily healthy adults. But even this kind of gas can be fatal to the very young, the very old and those ill of heart and lung ailments.

In Vietnam, gas was supplied and sanctioned by white men against Asians. This is something that no Asian, Communist or not, will forget. No other country has employed such a weapon in recent warfare. If the United States believed that people everywhere would be logical and "sensible" and would understand that nonlethal gas constitutes really only another form of warfare and even a relatively humane one, someone has blundered grievously.

War, as Clausewitz said, "is only a part of political intercourse, therefore by no means an independent thing in itself." It is stupid to lay the United States open to a moral condemnation that is not confined to the Communist world.

The United States claims to be fighting in Vietnam for freedom, right, justice, and other moral principles, as well as against communism and for the security of the United States and the free world. By using a noxious gas—even of a nonlethal type—the Johnson administration is falling back toward the old axiom that all's fair in war. But this happens to be a war in which the moral stature of the United States is at least as vital as bullets, shells and bombs. Gas is a wretched means to achieve even the most valid ends.

[From the Washington Post]

BLACKENING OUR NAME

It is difficult to find out how much damage napalm and gas are doing the enemy but it is not hard to find out how much damage they are doing us. Our own Defense Establishment, every time it employs or permits the South Vietnamese to employ these weapons, is doing an injury to the good name of this country.

If these weapons were being employed with decisive effect, perhaps their use might be condoned as one of the necessities of a hard and brutal war, but in this situation there is not even the satisfaction of knowing that they produced impressive results. They have been employed just enough to bring down upon this country the rebuke of the civilized world. They have been utilized just enough to hold our country up to reproach. They have been resorted to just often enough to impose upon the U.S. Information Agency an impossible propaganda disadvantage.

The argument that the nontoxic gas is more merciful than antipersonnel weapons has some merit, but not much. The trouble is that although the gas may not be poison, the word is, and all the propaganda resources in the world cannot explain away its employment as an act of Christian charity and humanitarian mercy. The use of napalm against gun emplacements is debatable, but its employment against villages is indefensible and the difficulty of confining it to combat installations so great as to dictate that it be not used at all.

We hope that President Johnson will order the Defense Department to forgo the use of all gas and napalm in this war theater at once. The people of this country are prepared for and equal to the hard measures that war dictates, when those measures are clearly inescapable and unavoidable in the prosecution of a military purpose. They will not be reconciled to the use of such weapons where alternate means of defense exist. If the war in South Vietnam can only be won by losing our good name, Americans who have patiently supported the struggle will waver in their purpose. Mr. President, let us stop all use of napalm and gas in South Vietnam at once.

OPPRESSION OF MINORITIES IN TRANSYLVANIA

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. FEIGHAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, the persecution and oppression of minorities by the Communist regime in Rumania has reached serious proportions and deserves to be condemned publicly by the Congress. The minorities affected are the Hungarians and Saxons who have lived for centuries in Transylvania which is now under Rumanian jurisdiction.

The subtle but nonetheless cruel and harsh plan of persecution launched against these minorities has caused grave concern among many Americans whose relatives and friends are the victims. Bulletin No. 17 of the International Commission of Jurists is devoted to an exposé of the tactics used by the Communist regime in Rumania. Many correspondents who have had an opportunity to visit Transylvania have returned with an abundance of criticism of what they have seen.

The theory of communism makes extravagant claims about the equal treatment of all people and is particularly critical of mistreatment of minorities. But the practice of communism is a far cry from the promises of its theory. What the Rumanian Communist regime is doing to the minorities in Transylvania follows a well-established habit of all Communist regimes. Oppression of human rights is a standard practice for all under their control and certain elements of the population are singled out for particularly harsh treatment.

Our sympathies go out to the Rumanian people for the persecution they have suffered at the hands of the Communist regime in control of their country. We are aware that neither the Communist Party nor the government installed by force in Rumania represents the freely expressed will of the people. The fault for persecution of minorities in Transylvania rests solely upon the Communist Party of Rumania which, as is well known, controls every facet of life in that country.

Mr. Speaker, I have today introduced House Resolution 290 for the purpose of providing the House of Representatives with an opportunity to condemn publicly the oppressive practices of the Communist regime in Rumania against the Hungarian and Saxon minorities in Transylvania. My resolution requests the President to use his good office in such manner as he deems appropriate to bring relief to these persecuted minorities.

I hope the House will act favorably and soon on this matter.

ADDRESS OF EDWIN M. HOOD

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, in mid-February, Edwin M. Hood, president of the Shipbuilders Council of America discussed the uncertain state of our maritime position in the world. His speech was delivered to the Propeller Club of Portland, Oreg., whose members are capable, leading personalities in port and allied activities in Oregon. The speech of Mr. Hood is informative and his views are worth the closest consideration.

Under unanimous consent, Mr. Speaker, I include the address in the RECORD.

A FORMIDABLE MARITIME CHALLENGE

(Speech by Edwin M. Hood, president, Shipbuilders Council of America, before the Propeller Club, Port of Portland, Portland, Oreg., Feb. 13, 1965)

As a major power, the United States is geographically isolated from much of the world. The oceans virtually surround us. It has been said that in time of emergency 95 percent of all materials would have to be moved by sea. The importance of seapower should thus be self-evident.

Without a strong Navy, supported by a complementary strong merchant marine, under its own control in such time of emergency, the United States could well be fenced off from its allies and oversea bases. With the tremendous buildup of naval and merchant strength presently taking place elsewhere in the world, particularly in Russia, the case for an effective U.S. merchant marine—at defensible costs—on the grounds of national and international security alone is overwhelming.

With others, we of the private shipyard industry have long believed that the maritime needs of our country must be considered, evaluated and fulfilled within the framework of total seapower requirements. In that sense, seapower is recognized as including merchant ships as well as naval vessels, shipyard capacity, trade and commerce, and the ability to use geography and the oceans to advance national objectives.

To us, all of these separate parts must be coordinated to enhance our national interests, and it is for this purpose that we have continued to recommend the establishment of a Presidential Advisory Commission on Seapower Superiority. The Maritime Advisory Committee, worthy though its purposes may be, is directed to only a single facet of our present seapower dilemma.

Here is what I mean by a sea-power dilemma.

The Soviet Union is moving rapidly to control the oceans and trade routes of the world. As a naval power, she is already second only to the United States. As a maritime power, experts predict she will surpass the United States in less than 2 years. Because of her enormous fleet expansion program, the Soviet Union will soon be able to manipulate ocean freight rates at will, and through a superiority in terms of numbers of ships in-being and mobility, she will be well on the road to economic domination of the world, and the weight of numbers will soon begin to tell.

As of November 1, 1964, 673 merchant vessels of various sizes and types—mostly dry cargo ships and tankers—totaling 6,450,000 pennyweight were on order or under construction for the Soviet Union. With her own shipyards fully utilized, this tremendous building program is being accomplished by awards of sizable contracts to shipyards in East Germany, England, Finland, Holland, Hungary, Japan, Norway, Poland, Sweden, and Yugoslavia.

As of December 1, 1964, there were 40 commercial vessels, totaling about 615,000 pennyweight, on order or under construction in the United States. These involved 3 tankers, 34 cargo vessels, and 3 ferryboats. In other words, the Russians are building 16 times as many merchant ships as we are. In terms of tonnage, they are outbuilding us by a ration of better than 10 to 1. And, I might add, the Soviet Union is committing large domestic resources and a substantial portion of its foreign exchange to enlarging its merchant fleet.

While the Communists are building a new and modern seapower potential, almost half of our naval fleet is composed of vessels 20 years of ago and older. In less than 2 years, more than two-thirds of our Navy fleet will be over age. About 90 percent of all U.S.-flag dry cargo ships and 55 percent of our U.S.-flag tankers are 20 years of age or older. Our fleet of dry cargo ships engaged in domestic trades is virtually extinct. The average age of the ships in our Great Lakes fleet is 47 years. Our private shipyards are more than 50 percent idle. And, U.S.-flag shipping is carrying only 5 percent of our export and important commercial cargoes.

This comparative inventory of seapower resources presents at once a threat and a challenge.

Two months ago, the Chief of Naval Operations, Adm. David L. McDonald, defined seapower as including both merchant and naval vessels plus "the mix of military, technological, and industrial capabilities related to the sea which crosscuts and intersects almost every aspect of our society." He said "the sciences of the sea may be on the threshold of an era of enormous expansion" and called for "a renaissance of American maritime capability."

We wholeheartedly agree that a maritime renaissance must be approached with the objective of obtaining a dollar's value for every dollar spent. This objective, however, should be accomplished on the basis of not how much or how cheap, but how good. From what I have already outlined, it should be clear that the quality of our total seapower effort leaves much to be desired.

But, when we talk about cost, to what do we really refer? Surely not only the financial statements showing the dollar value of assistance given by the Government.

Nothing creates such a wide diversity of employment, in such a variety of other industries and geographic locations as does the construction of a ship. Furthermore, maritime activities represent a joint venture undertaken by Government and industry, for the public good, and much is returned to the taxpayer and the Public Treasury in the form of employment, tax revenues, trade, balance of international payments, and national security.

Not too many years ago, in 1957, the then Maritime Administrator demonstrated with actual experience statistics reflecting governmental expenditures on the one hand, and with generated tax revenues and other offsets on the other hand, that U.S. maritime activities, from 1936 through 1957, had cost the American taxpayers not one red cent. No doubt the same case could be made today.

A regiment of economists and accountants, however, could not unravel and estimate the true financial cost, or take into proper account the multitude of indirect advantages to a nation building and operating its own merchant marine. The question, then, to be decided at this point and time in history would appropriately seem to be "what is the present and possible future cost to this Nation of not having an adequate shipbuilding and shipping capability?" We of the private shipyard industry suggest that this cost may well be beyond all comprehension.

Admiral McDonald also said in his speech before the Society of Naval Architects and Marine Engineers in New York on November 13, 1964, that "each generation of Americans takes a perverse delight in scuttling the merchant marine."

Even at this moment, there are those in Washington and elsewhere who are valiantly trying to promote the notion that all or part of the ships for the U.S. merchant marine should be constructed in foreign shipyards rather than in U.S. shipyards. The ultimate consequences of any such idea seem to have escaped them. Their proposed actions, if put into motion, could lead to the complete destruction of the U.S. private shipyard industry and ultimately to the complete demise of U.S.-flag shipping. The destiny of our cherished way of life could well be at stake.

It should be almost axiomatic that under existing world tensions, and with the rapid technological progress taking place on so many different fronts, the United States cannot afford to become dependent, even slightly, on other nations to provide modern ships for our merchant marine. Obviously, any "build abroad" or "buy abroad" alternative for our shipbuilding and shipping requirements would only aggravate the present situation, lead to further deterioration in the Nation's maritime posture, and severely weaken our seapower capability.

President Franklin D. Roosevelt began his 1938 message to the Congress on the U.S. merchant marine with this statement: "I present to the Congress the question whether or not the United States should have an adequate merchant marine. To me there are three reasons for answering this question in the affirmative. In substance, they were national security, national economy, and national prestige. Last week, a quarter of a century later, President Johnson, in his state of the Union address, indicated that he would soon send to the Congress a new policy for our merchant marine. As he approaches this formidable task, we hope he will present these three affirmative reasons as to why the United States should have an adequate shipyard industry:

1. The Secretary of Defense has said that from a purely military standpoint, a shipbuilding capability in this country is essential. If a shipbuilding capability is essential, it follows that the capability to repair and overhaul ships is equally essential.

2. Shipyard activities generate jobs, equipment sales, and production of material in every State of the Union.

3. If shipbuilding work is purchased abroad, these jobs and their consequent economic effects disappear—U.S. Treasury receipts decline accordingly and the balance of international payments is adversely affected.

The Chief of Naval Operations put it more concisely on November 13 last when he said:

"We all know that the more ships we have constructed for us in other lands and the more foreign bottoms we use to transport our exports and imports, the less need we have for shipyards in our own country. This, of course, means slow but certain death of those precious skills and know-how so essential to any seapower industry. This we cannot afford. We must become vitally—let me repeat, vitally—concerned with preserving and maintaining our repository of trained manpower resources found in our shipyard facilities.

"The reasons are fairly obvious. From this bank of sea technology will come the hundreds of specialized ship types we need to hold our status in the world. And if this talent bank be sufficient, we can, in the future, prevent the mad scramble of World Wars I and II to get our seapower cabin in order."

Even more concisely, the General Court of Massachusetts in 1641 proclaimed that the building of ships was "of great importance for the common good." But, the building of ships in the context of modern days, still "of great importance for the common good," is a vital taproot of vast national strength.

The question of size of the merchant fleet, the degree of reasonable control of the seas, and the degree of control over our own trade and commerce, together with the effective competitive use of merchant shipping to offset our adversaries, are proper matters for high national strategy determinations. The use of the merchant fleet as an economic weapon, just as the Soviet Union is now doing, should be given to priority consideration by the best authorities of the United States on a coordinated basis. No country in history has ever held a leading position without at the same time holding a reasonably dominant position on the seas. The relationship between seapower, shipping, and shipyards is equally historic. The sum of commercial ship operations—use and deployment—plus shipyard capacity and efficient use, then, must be contained proportionately in the total concept of seapower.

Accordingly, we urge that a program for maritime renaissance be carried to the highest levels of Government and to the citizenry. To this end, we again urge the appointment of a Presidential Advisory Commission on Seapower Superiority, composed of knowledgeable persons from both public and private life, for the purpose of recommending requisite steps to insure that the United States will long maintain supremacy on the high seas. Only on a top-level, coordinated basis can this basic challenge be faced effectively, realistically, and reasonably. We fervently hope that this concept will be included in the emerging design for the Great Society.

THIRD ANNUAL MEETING OF THE INTER-AMERICAN ECONOMIC AND SOCIAL COUNCIL

The SPEAKER. Under previous order of the House the gentleman from Massachusetts [Mr. MORSE] is recognized for 30 minutes.

Mr. MORSE. Mr. Speaker, between November 30 and December 12, of last year, the Inter-American Economic and Social Council—IA-ECOSOC—held its

third annual meeting to review developments under the Alliance for Progress in Lima, Peru. IA–ECOSOC is one of the three dependent organs of the Organization of American States—OAS—and has provided since 1961 inter-American multilateral direction for the Alliance for Progress.

It was my good fortune to serve with my colleague, Congressman ARMISTEAD SELDEN, as a member of the U.S. delegation to the conference last December. Congressman SELDEN is chairman of the House of Representatives' Subcommittee on Inter-American Affairs. His profound knowledge of Latin American affairs was an invaluable contribution to the delegation.

The conference opened with a preparatory 1 week meeting at the expert level preceding the meeting at the ministerial level. The U.S. delegation at the ministerial meeting was headed by the very able Assistant Secretary of State and U.S. Coordinator of the Alliance for Progress, Thomas C. Mann, recently nominated by the President for Under Secretary of State for Economic Affairs. Deputy U.S. Coordinator William D. Rogers headed the U.S. delegation at the meeting of experts. The quality of the work of both of these men deserves high commendation. Certainly, the effectiveness of the U.S. delegation was due in large part to their experienced and effective leadership.

The climate of the conference was both positive and optimistic. The meeting saw the launching of a new Special Development Assistance Fund, to be operated and supported on a multilateral basis. The statutes of the Fund and its first annual budget were approved. A number of participating nations pledged specific contributions, while others stated their intention to pledge specific contributions in the near future. The Fund, with a budget of about $9 million will support a number of multilateral Alliance activities including technical assistance for planning, technical training programs, public information, and technical assistance for institutional development.

The IA–ECOSOC also considered and approved a number of resolutions in addition to the statutes and budget of the Special Development Assistance Fund. Among these were requests for the Inter-American Committee on the Alliance for Progress—CIAP—to give special attention to certain problems such as external trade, maritime transport charges in relation to the balance of payments, regional integration and capital flight, and the relationship between population growth and social and economic development.

One of the most hopeful reports made at the conference was the Ministers' estimation that in 1964 for the first time, the average per capita growth rate for all of Latin America would equal or possibly exceed the target rate—2½ percent per capita per year—urged in the Charter of Punta del Este. They also noted the substantial increase—at least 8 percent—in export earnings which will probably materialize in 1964, when all the statistics become available.

In the estimation of the Latin American delegates, however, foreign trade continues to be a major problem, particularly with respect to maintaining recent price increases for basic commodities.

On a more pessimistic note, concerning agriculture, the review stated "that no great progress has been made, except in isolated cases, in the technical improvement of agriculture, in increasing agricultural productivity, or in carrying out programs of agrarian reform."

The Ministers stressed the need to promote more active participation in the programs for development by all the people, including rural and urban communities, labor unions, business groups, as well as government instrumentalities. This is a healthy development, in my opinion, and demonstrates a growing understanding of the social aspects of economic development.

In the housing field, IA–ECOSOC recognized the important efforts which many countries have already made. However, the gap between requirements and new housing construction continues to grow. There is no question in my mind that greater efforts will therefore be necessary in this field.

The Latin American delegations were particularly concerned with the relatively slow pace of regional economic integration through the Latin American Free Trade Association, and made a call for early action to accelerate integration through existing institutions. By contrast, the Central American countries were congratulated on the progress they have made in the completion of the Central American Common Market.

The general satisfaction expressed by all delegations with respect to the work of the Inter-American Committee on the Alliance for Progress—CIAP—which had been created by IA–ECOSOC the year before, was a highlight of the discussion at Lima. CIAP was set up as a sort of year-round multilateral executive committee of the IA–ECOSOC. Among other things, it conducted for the first time a review of each country's performance under the Alliance for Progress. This country review process is the heart of the economic and social development programs embodied in the Alliance. The concept is premised on the thesis that aid is useless unless the recipient country has developed a comprehensive plan which coordinates development problems such as land and institutional reform with monetary and fiscal problems. This was not done a few years ago with regard to Brazil, for example. The result? The United States was supporting the Brazilian currency during a period when the Brazilian Government was taking no steps to control an extremely high and rapidly growing rate of inflation.

I was greatly impressed by the preoccupation of Latin American member countries with external trade conditions and prospects. Of course, 1964 was a year that witnessed considerable international attention focused on the trade problems of the developing nations. This attention centered around the United Nations Conference on Trade and Development—UNCTAD—held in Geneva, March 23 through June 16, 1964. Prior to this conference, the Latin American nations held two meetings, the first at Brasilia and the second at Alta Gracia in Argentina. At Brasilia, the government experts considered a document prepared by the secretariat of the Economic Commission for Latin America—ECLA. The conclusions adopted at this meeting were subsequently reviewed at Alta Gracia by the representatives of 19 Latin American countries under the auspices of the Organization of American States. These meetings were intended to produce a consensus as to the goals of the UNCTAD.

In Lima, most spokesmen were critical of what they feared to be a protectionist tendency of the industrial countries. Substantial improvements by the developing countries, both in export earnings and in terms of trade in 1964, did not prevent considerable concern about the future trade prospects of the region.

Underlying these criticisms is a concern which has been explicit in inter-American relations for the last three decades: The Latin American nations, their economies oriented toward primary products, believe that the trend of the terms of trade is moving against them in favor of the industrial nations. They believe that the basic trend of the ratio of prices of their imports as compared with the earnings of their exports is increasingly unfavorable. Furthermore, they are faced with the prospect of greater balance-of-payments deficits as their imports increase due to development needs, imports made up for the most part of vitally needed machinery and machine products.

An obvious answer to these problems is a diversified economy. Even partial industrialization, however, is a lengthy process, especially in the face of severe social and consequent political strains. The one immediate answer that the Latin Americans see to this problem is expanded exports at stable world markets at higher prices. Under the umbrella of favorable world markets, the developing nations believe they can diversify and expand their economies.

Two things are certain: Most Latin American countries do not earn the import credit that they feel they need to achieve a satisfactory rate of economic growth; and, second, they believe that the answer to their problems lies in some form of regulation of the world markets for primary goods which are controlled in one way or another by the industrial nations. They believe primary products are sold in a buyer's market whereas industrial goods are sold in a seller's market.

It is obviously very frustrating to believe that the solution to one's problems is dependent on the good will of other nations. In the case of the Latin American nations, the expression to their frustration was found in UNCTAD and the meetings which preceded it.

These meetings are especially significant because they portend a new alinement in world relations. We no longer have an inter-American dialog, but a world duolog with industrial nations more or less alined on one side of the

conversation and the developing nations alined on the other.

The effects of this alinement were certainly felt at UNCTAD where the developing nations clearly dominated the proceedings. If it maintains coherence, it will certainly be heard again in international organizations in general and in inter-American relations in particular.

The United States has clearly supported efforts of economic organization in the hemisphere, such as the Latin American Free Trade Association and the Central American Common Market. These groups are directed toward self-help by increasing intraregional trade. However, they also represent a possible base for a future duolog between the north and the south.

I believe that several important observations can be made about this conference:

First. The Latin American governments remain keenly sensitive to the possibility that wide price fluctuations of their principal export commodities may cause a recurrence of serious balance-of-payments deficits, thus wiping out their own efforts and the potential development progress supported by external assistance.

Second. The annual review of the Alliance for Progress is becoming more effective with each meeting. This year the conference spent much less time talking about external assistance and more trying to advance reform and development.

Third. The Lima meetings gave the clear impression that the peoples and governments of Latin America are becoming firmly committed to the principles and objectives of the Charter of Punta del Este.

Fourth. The work of CIAP in its first year of operation basically satisfied the expectations of the delegations. The general feeling was that the Committee had given the Alliance better cohesion and a decided multilateral direction. The report of CIAP to IA–ECOSOC was the basis of much of the debate at the meetings.

Fifth. Finally, as crucial as the economic and trade problems of Latin America are, I believe that more attention must be given social problems, such as public education, during the IA–ECOSOC meetings. In the early stages of development, public expectations are going to exceed accomplishment, substantial though that accomplishment may be. Consequently, the pressure for stopgap solutions which may be more illusory than real will be great.

It is my firm belief that such solutions can only be avoided by accompanying economic progress with sound social reform. IA–ECOSOC presents the nations of the hemisphere with an opportunity to examine the practical problems involved in social reform. I hope more of the Council's time will be spent doing so in the future. Just as meaningful economic development depends in the ultimate on a stable political framework, stable democratic political institutions depend in the long run on a sound foundation of social justice.

THE PRESENT SITUATION OF THE HUNGARIAN MINORITY IN TRANSYLVANIA

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 60 minutes.

Mr. HALPERN. Mr. Speaker, several of my colleagues have referred to the persecution of the Hungarian minority in Transylvania, now a Rumanian province, during the 2d session of the last Congress. They included my colleague from New York [Mr. LINDSAY] and the gentleman from Ohio [Mr. ASHBROOK].

It remains a fact that the Rumanian Communist Government, despite its differences on economic and ideological interpretations with Soviet Russia, has stepped up its repressive measures against the Hungarian minority in Transylvania for the past 7 years, and no end to these measures is in sight. Yet, the Hungarian minority in Transylvania is numerous and culturally and scientifically probably the most constructive element in the province. Even according to the Rumanian census of 1956, its number reaches 1.65 million, more than the population of many newly independent nations.

The sufferings of the Hungarian minority in Transylvania started already in 1945–46 when Rumania acquired a pro-Communist, later a fully Communist, regime. Former leaders of the minority were jailed or slain, and the remaining Hungarian middle classes were robbed of their livelihood and forced to live outside of Transylvania under subhuman conditions as deportees. A Communist organization was superimposed upon the minority. A Hungarian bishop was imprisoned, and to this day he is kept under house arrest.

However, until 1957, the persecution was part of a great campaign against all non-Communist and anti-Communist elements in Rumania and many Rumanians also shared the fate of their Hungarian counterparts in Transylvania.

In the Stalinist period, the Gheorghiu-Dej government insisted that Communist rule had solved the nationality problem in Transylvania by granting "equality" to the Hungarian and other minorities. A "Magyar autonomous province" was created and Hungarian schools were generally maintained, though they had to teach Communist propaganda in order to indoctrinate the youth.

However, even this 1952 solution remained inadequate. The Magyar autonomous province included only about one-third of the Hungarians living in Transylvania, that part of Rumania which formerly belonged to Hungary. Deportations of "class aliens" and the settlement of Rumanian refugees from Bessarabia—which was ceded to the Soviet Union—slowly changed the composition of the city population of Kolozsvar, the capital of Transylvania, Nagyvarad—Oradea—and other centers from a predominantly Hungarian to a mixed or Rumanian one.

Even this relatively mild situation was altered by 1957. In October and November 1956 the Hungarian population in Hungary rose against their Communist masters and against the intervening Red Army. During the 10 days of success of this fight for freedom the Transylvanian Hungarians were also in a state of ferment and unrest. Demonstrations occurred in three major areas. Army units composed of Rumanians alone had to occupy the cities and the Magyar province in order to prevent uprisings. The Rumanian Army as such could not be used against the rebellious Hungarians in Hungary, mainly because of the questionable loyalty of the Hungarian components.

Staggering blows of the Gheorghiu-Dej regime hit the Hungarian minority in Transylvania in 1957 and early 1958.

First, hundreds of Hungarians, Communists and non-Communists, were arrested in 1957 upon charges of sympathizing with the Hungarian rebels of 1956. Those arrested included the more nationally conscious members of the Hungarian section of the Rumanian Communist Party. Only in Kolozsvar scores of them were put to a show trial and over several of them were executed. Realistic figures of those executed in the purges is estimated in the hundreds and those sentenced to long prison terms, in the thousands. Even those not arrested were often removed from their positions on local administration and many a Hungarian Communist in Transylvania had to make public self-criticism stating that he had succumbed to bourgeoise nationalism. The terror was used to abolish Hungarian educational institutions. In early 1958 students of the Bólyai Hungarian University at Kolozsvar—Cluj—"petitioned" the administration to merge with the Rumanian Babes University in the same city in order "to avoid cultural isolation." The college at Nagyenyed—Aiud—followed suit. After a dramatic meeting, in May, 1958, the Bólyai University faculty voted the merger, after which three of the participating professors committed suicide. Today, Hungarian literature is taught in Hungarian language only at the Bólyai-Babes University, and the proportion of Rumanian-Hungarian students is about three to one there.

The Bólyai University was not the only victim of the purges begun in 1958. In most Hungarian grade and high schools, parallel Rumanian sections were introduced. It took usually between 3 to 5 years of bribing and intimidation on the part of the authorities to make the parents and students apply for a merger of the Hungarian sections with the Rumanian ones into one Rumanian school. Today, there are hardly any high schools and only a small number of grade schools where Hungarian is the language of instruction. Even in purely Hungarian areas, Hungarian is only taught as a foreign language. In practice, because of the mergers, only the first-born sons of the Hungarian families are still sent to Hungarian schools, as their distance necessitates boarding costs.

The Magyar autonomous province, the last bulwark of Transylvanian Hungarians, was hit next. Under the euphemism of administrative reform, the districts of Háromszék—Trei Scâune—with

their almost 100-percent Hungarian population were attached to the largely Rumanian province of Brasov—Brassó—thereby putting more Hungarians outside of the autonomous province. This was, however, not sufficient for the Gheorghiu-Dej regime. Other districts were united with the autonomous province, further reducing its Hungarian character. While in 1952, the province was 79 percent Hungarian, after 1961 the Mures autonomous province, as it is officially called, had only a 63-percent Hungarian majority, and only half of the local officials were Hungarians.

Not only by administrative transfers and by the abolition of the name Hungarian-Magyar in the autonomous province, but also by enforced population transfers, the Gheorghiu-Dej regime tries to scatter the Hungarian minority in order to facilitate its Rumanization. This fact was also acknowledged by the State Department in answering inquiries. The population transfers take various forms. First, Hungarian professionals are prevented from assuming leadership in the Hungarian community. Every professional person must apply to the state for his job, and the location of employment invariably lies outside of the autonomous province, or any other Hungarian inhabited area in Transylvania. More often than not, Hungarian professionals are sent into parts of Rumania outside of Transylvania. The number of Hungarian professionals is steadily decreasing. One infamous regulation prevents the admission of Hungarian students to the universities over and beyond a certain small ratio of the Rumanian students in the same field.

Industrialization proceeds at an increasing tempo in Transylvania, and the new plants, even in Hungarian areas, are staffed by Rumanians from manager to engineer to unskilled laborers. Thereby mixed areas and cities receive an increasingly Rumanian profile, while purely Hungarian areas become mixed. The manpower surplus of the Hungarian areas goes usually to Brasov and Bucharest in the south, and some sources maintain that Bucharest already has almost 200,000 Hungarians, making it the second largest Hungarian city after Budapest.

In addition to the enforced move of engineers and professionals as well as skilled workers between Rumanian and Hungarian areas in Transylvania, the Gheorghiu-Dej regime is also reviving language restrictions. Outside of the Mures autonomous province the use of the Hungarian language is forbidden in public, despite constitutional guarantees. Even in the Mures autonomous province, shopkeepers are forced to speak Rumanian only. These restrictions were confirmed by the foreign correspondent of the Reporter magazine, Mr. George Bailey, in the November 19, 1964, issue.

Mr. Bailey is not the only one reporting about the sad fate of the Transylvanian Hungarians. In May 1963, Edward Crankshaw, the noted British journalist and writer, also broached the subject in a syndicated article in the Observer. The Bulletin of the International Commission of Jurists in June 1964 summarized the ordinances and decrees in violation of the human and civil rights of the Hungarian minority.

Here in the House, several Members have raised their voices against the injustice. In the Senate, a former Foreign Service officer and now the able Senator from Rhode Island [Mr. PELL] warned against our courting of Rumania without substantial concessions on Rumania's part with respect to the observation of human and minority rights.

For all these repressive measures form part of a larger political plan on the part of the Communist regime to eradicate the Hungarian minority in Transylvania within the next 10 or 15 years. At the same time, the Communist regime tries to improve relations with the United States and other Western nations, especially in the economic and cultural fields. We must watch out that in our well-intentioned drive to promote polycentrism in Eastern Europe we do not become participants to a subtle, but nonetheless lethal, genocide of the Hungarian minority in Transylvania which resided there since the 10th century and shaped the history of the region for a thousand years until 1918.

In this connection, I have today introduced, for appropriate reference, a House resolution condemning the discrimination perpetrated by the Rumanian Government against its Hungarian minority. I ask that it be read into the RECORD at this point, together with other documentation. Also, Mr. Speaker, I ask unanimous consent that Members may have permission to revise and extend their remarks for the RECORD.

H. RES. 291

Resolution expressing the sense of the House of Representatives with respect to discriminatory practices by the Government of Rumania

Whereas the Government of Rumania is engaging in a deliberate policy of discrimination against the Hungarian minority population under its jurisdiction in educational, cultural, economic, linguistic, and administrative fields; and

Whereas this discrimination is clearly contrary to commonly accepted principles of international law and justice; and

Whereas, in accordance with the provisions of the 1947 Peace Treaty, the Government of Rumania undertook the obligation to grant the enjoyment of human rights and fundamental freedoms to all persons within her territorial and sovereign jurisdiction without distinction as to race, sex, language, or religion; and

Whereas the International Commission of Jurists has reported the occurrence of numerous instances of discrimination on the part of the Government of Rumania against the Hungarian minority population of Transylvania: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the discriminatory practices perpetrated by the Government of Rumania against the Hungarian minority peoples be condemned.

TROUBLE OVER TRANSYLVANIA

(By George Bailey)

TIRGU MURES.—Rumania, in its own inimitable fashion, offers an instructive sampling of the tensions and contradictions that are tearing the Communist world apart. In this country, a general restiveness and political opportunism have gone so far that criticism of Moscow's leadership has taken more or less official forms.

Shortly after the return of a Rumanian delegation that had been dispatched to Peiping early this year in an attempt to mediate the Sino-Soviet dispute, the Rumanian Workers' Party published a 50-page declaration on its position with regard to the international Communist movement. The tract was explicitly directed against the Khrushchevian doctrine of apportioning economic activities to individual nations within the Communist bloc. As a declaration of economic independence, the document was anticlimactic. In the first 5 years of its drive to achieve "rapid and comprehensive industrialization," Rumania had already doubled its volume of trade with non-Communist countries while reducing its trade volume with Communist countries by one quarter. Within the same period Rumania had spent roughly half a billion dollars for industrial plant, equipment, and employment of technicians from the West, and more than a billion dollars have been earmarked for purchases in the West during the next 5-year period. Moreover, at a time when all other satellite countries were sharply reducing their trade with China, Rumania actually increased its China trade appreciably. In effect, Rumania had already become another Yugoslavia, a comparison that has been heightened by Yugoslavia's recent accession to Comecon as an associate member, while Rumania has been loosening its ties with that economic organization of the Eastern bloc.

But the declaration last April was much more than a formulated insistence on "economic self-determination." It was a manifesto proclaiming "the basic principles of the new type of relations between Socialist countries" and ruling out interference of any kind from any quarter in the political and cultural as well as the economic affairs of a "socialist and therefore truly sovereign country." The manifesto turned the Soviet prescription for collective action inside out, since it declared foreign policy an inviolable part of individual state sovereignty.

Above all, coming as it did in the form of a report on the mission to Peiping and a subsequent stopover in the Crimea, it took on the color of an official ruling on the Sino-Soviet dispute. In this sense, while professing incidental preference for some of the Russian arguments, the Rumanian leadership found for China. The finding was reinforced by Rumania's refusal to attend Khrushchev's ill-starred congress of Communist Parties to deal with China. The Rumanians had long ago discerned what the explosion of a Chinese atom bomb and its complement, the fall of Khrushchev, have since made generally clear—that China could not and can never be drummed out of the Communist movement. And both of these recent confirmatory developments have made the Rumanian leadership more confident than ever.

In fact, the Rumanian Communists have outwitted and outmaneuvered the Soviet Union at virtually every turn in a long course of events extending at least as far back as the 1952 ouster of the Moscow loyalist, Ana Pauker, and her clique. Then, or not long afterward, they reverted to their native tradition of circumspect doubledealing and discreet intrigue. Among the switches and shifts of the ideological shell game that ensued, there was none more successful than the Rumanian substitution of derussification for destalinization. To the delight of the Russophobe populace, by 1963 the Rumanian authorities had liquidated the Gorki Institute of Russian Studies, the Russian bookstore, the Rumanian edition of the Soviet magazine, New Times, and the obligatory study of the Russian language in all schools and universities. Since then virtually all Russian street and place names have disappeared.

But derussification is merely one of the many negative aspects of Rumanianization. Acting ostensibly as the honest and impeccably Communist broker between the Soviet Union and China, the Rumanians have actually cleared the way for their own traditional brand of supernationalism. "Greater Rumania," said a Communist diplomat recently, "is the whore of the Socialist camp, a Balkan whore bent on Balkanizing the Communist bloc." The Rumanian talent for divisiveness has nowhere been more evident than in the handling of the oldest Balkan problem of them all: Transylvania.

GRAUSTARKIAN SHOWPIECE

It has long been axiomatic that great powers adjust Balkan borders to suit their own purposes. This is particularly true of Transylvania, which has been passed back and forth almost as often as a bottle at a Balkan party. In the Treaty of Trianon, 1920, the Western Allies dismantled the Austro-Hungarian Empire, stripping Hungary of two-thirds of its territory and almost one-third of its population and ceding the greater part of both to Rumania. With the Vienna Award of 1940, Hitler gave the northern half of Transylvania, including its capital city of Cluj, back to Hungary and so stimulated a competition between Hungary and Rumania for Nazi favor in the field against the Russians, the Hungarian troops fighting for the addition of the southern half of Transylvania, the Rumanians fighting for the return of the northern half. Similarly, the Soviets at the close of the Second World War restored the Trianon border between Hungary and Rumania, calculating that this would tend to offset the Soviet Union's annexation of Bessarabia and the Bukovina from Rumania on the east and provide a popular national issue favoring the Communist-dominated government in Rumania; furthermore, the consequent failure of the not-yet Communist Hungary to obtain any sort of satisfaction on Transylvania might weaken the leading Smallholders' Party, which was the main obstacle in the way of a Communist takeover in Hungary. Like Hitler, the Soviets sought to use the Transylvanian issue as a means of keeping both Hungary and Rumania under control.

Naturally, there are a great many people who consider themselves Hungarians now living in Rumanian territory. More than half a million of them inhabit the strip of territory some 30 miles wide along the Hungarian-Rumanian border. This area, properly speaking, is not and never was part of Transylvania. It is made up of four counties of the old kingdom of Hungary and is geographically an extension of the central Hungarian plain. The other main concentration of Hungarians in Rumania is the solid block of Szeklers, some 700,000 strong, who have inhabited most of eastern Transylvania since the 10th century. The Szekler area lies almost exactly in the center of Rumania, more than 100 miles to the east of the Hungarian border. King Carol had agreed to cede the border area—the so-called Partium—to Hungary even before the Vienna Award was forced upon him, and the Hungarians had great hopes that the Soviets would undertake some doctoring of the border, especially after Hungary became Communist.

Instead the Soviets chose to provide an object lesson in Marxism-Leninism by applying the principle of genuine proletarian internationalism for all Communists to the 1,700,000 Hungarians in Rumania, who constitute the largest ethnic minority in Eastern Europe. Thus, article 82 of the Rumanian Constitution of 1952 provides that "Every individual national group may freely make use of its own language, and may freely visit at every level those institutions of general education in which instruction is given in its mother tongue * * *," and articles 19, 20, and 21 attempted to solve the millennial problem of the Szeklers through the creation of the autonomous Hungarian region. Modeled on the autonomous regions within the individual Soviet Republics, it was clearly meant to serve as a showpiece of genuine proletarian internationalism. Communist functionaries from Moscow, Bucharest, and Budapest converged on the region. Stakhanovites from all three countries were sent to instruct and inspire the workers, youth brigades were organized, factories and roads were built, farmers were persuaded or forced to join collectives. But then came the Hungarian revolt.

In retrospect, it is apparent that the Hungarian revolt in the fall of 1956 was the turning point in the course of communism in Europe. Establishing the Hungarians as the archculprits in the eyes of the Soviets, it provided the Rumanian Communist Party with a classic opportunity to demonstrate its loyalty to the Soviet Union. The Rumanian Communists were in a position to render the Soviet Union a signal service in playing host to Imre Nagy, Pal Maleter, and other leaders of the Hungarian revolt during their long incarceration and subsequent execution, relieving the Russians of the onus of deporting the rebels to the Soviet Union. They were also able to help the Soviet Union in Hungary by sending Hungarian-speaking "goon squads" to Budapest and the provinces to reinforce the decimated and thoroughly demoralized Hungarian Security Service.

At the same time, the Hungarian revolt thoroughly alarmed the Rumanian Communists. The reason was simple enough: the same anticommunism that exploded in Hungary immediately spread to the Hungarian minority in Rumania. As in Hungary, students, teachers, and university professors were in the forefront of the action. There were student demonstrations in Cluj, in Medias, in Timisoara, and in the administrative center of the Hungarian autonomous region. Tirgu Mures—in fact in every area where there were Hungarian students in any numbers. Furthermore, the revolt threatened to catch fire among the Rumanian peasantry and the country's intellectals. Some of the more circumspect Rumanians were only waiting to see whether the West would support Hungary. When that didn't happen, the Hungarians were obviously doomed.

There followed the Soviet isolation of Hungary and the branding of the Hungarians as fascists and chauvinists. The Rumanians were quick to take the Soviet cue, exploiting the official condemnation of the Hungarians to the hilt and applying it particularly to the Hungarian minority in Rumania. For the moment the Hungarian minority in Rumania rose in sympathy with the Hungarian revolution, Rumanians tended to see the whole thing as a part of the old campaign for the annexation of territory in Transylvania to Hungary. Thus the Rumanian Communist Party was not only fighting for its life, it was also fighting for what every Rumanian considers Rumanian national territory.

Russian troops put down the disorder in Rumania and thousands of Hungarians were arrested, perhaps hundreds put to death. In one trial alone in Cluj, 13 out of 57 accused were executed. This year some 8,000 political prisoners were released with considerable fanfare by the Rumanian Government in a general amnesty. But as far as I could ascertain in my recent travels through Transylvania, not one of the Hungarians arrested during the revolt has yet been released.

THE CAPITAL OF LIMBO

Two years after the revolt, the Rumanian Government received the great and all-important prize for loyalty and services rendered to the Soviets—the withdrawal of the Red Army. "Genuine proletarian internationalism" is also gone, and the Rumanian desire to keep the Hungarian minority in its place has found more and more ways of expressing itself. In 1959, the rector of the Bolyai University, Prof. Lajos Takacs, expressed his regret over the "nationalist isolation" of the Hungarian minority and requested the ministry of education "to examine the advisability of having two universities in Cluj." In June, 1959, the students and professors "unanimously approved" the merger of the university with the Rumanian Babes University.

Late in 1960, the Rumanian Government undertook the administrative reorganization of the entire country, ostensibly to effect a more rational economic division among the various territories. Actually, the reorganization achieved the ethnic gerrymandering of the autonomous Hungarian region, and the authorities have used economic measures to break up the Szekler communities and disperse the fragments throughout the country. The closing of Hungarian cultural institutions has also continued. The 600-year-old Hungarian college at Aiud was closed and its library impounded. In 1962 the last Hungarian institution of higher learning, the Institute of Medicine and Pharmacy at Tirgu Mures, was liquidated outright; the Rumanian authorities did not even bother to cloak the operation as a merger. The liquidation was officially described as "the reduction of Hungarian-language classes" at the institute.

It was in 1962 that the Rumanians launched their main administrative assault against the autonomous region. All key positions in administration and industry were taken over by Rumanians. Dimitru Puni, a Rumanian, was appointed chairman of the regional people's council. The Hungarian Writers' Association in Tirgu Mures was merged with a Rumanian Writers' Association imported for that purpose. In the same way, the Szekler State Theater was enlarged by the addition of a Rumanian section. The most far-reaching measure, however, was the merging of Hungarian with Rumanian schools. By the end of 1962 there was no longer a single wholly separate Hungarian school in Rumania. Within 2 years the new dispensation had made a mockery of the constitution's guarantee of access to schools, where instruction is given in each people's "mother tongue." Rumanian has effectively replaced Hungarian at every level as the language of official and public life. This is not only because the leaders and key functionaries of the region are all Rumanians who know no Hungarian; employees throughout the region have been put on notice that if they fail to use Rumanian in public they will be summarily dismissed.

I have seen how these regulations work. When I stepped into a shop in Tirgu Mures and addressed the salesclerk in Hungarian, he answered in Rumanian. I persisted in Hungarian. He persisted in Rumanian. Finally I asked him if he spoke Hungarian. "Whenever I can," he answered in Hungarian, "but we are under orders to speak Rumanian to customers." I asked if Tirgu Mures was not the capital of the Hungarian region. "This is the capital of Limbo," he replied.

Rumania's transformation from an obsequious satellite practicing "genuine proletarian internationalism" to a fiercely independent national state pursuing a policy of forcible assimilation of minorities is accompanied by a propaganda offensive on a broad front that includes the reinterpretation of history as a method of furthering the Romanization of Rumania. Rumanian writers have taken issue with Soviet historians on the apportionment of roles in the liberation of Rumania from the fascist yoke and won their point. The spate of articles and brochures produced to document the party's leading role in the "victorious armed uprising of August 1944," and the exploits of "the

new Rumanian Army" is often supplemented with situation maps giving the positions and movements of the Rumanian units and "patriotic battle groups" in overrunning the "German-Hungarian forces" in Transylvania. The last map in one series I have seen delineates "the participation of the Rumanian Army in battles on Hungarian and Czechoslovak territory" in such a way that the Rumanian Army—not the Soviet Army—clearly developed the main thrust in the campaigns to liberate Budapest and Prague.

The main target for historical revision, however, is what Rumanian writers refer to as "the Hapsburg occupation," especially during its final period. At a conference of historians held last May in Hungary, Rumanians expounded their theory of "double exploitation and oppression of the masses by the dominant nations of Austria-Hungary." The great majority of landowners, they said, had been Hungarian and German; the great majority of peasants had been Slavs and Rumanians. This had resulted in a double burden of national as well as social oppression. The Hungarian hosts, a West German, and a Soviet historian denied the validity of the theory, which not only equates classes with nations but also distinguishes between the nationalism of dominant nations ("imperialist chauvinism") and the nationalism of suppressed nations ("national liberation movements"). The theory was not designed merely to denigrate the Hungarians retroactively as chronic imperialist chauvinists and justify Rumanian possession of Transylvania; it was also the academic celebration of Rumania's right to develop its entire range of basic industries as a unitary, independent, and fully equal state, not to be exploited by industrially dominant countries such as the Soviet Union, Czechoslovakia, and East Germany within Comecon.

THE HUNGARIAN HANDICAP

There is no doubt that the legacy of the Habsburg Empire and its hangnail Horthy "regency" of 1920–1944 has weighed heavily on the Hungarian Communists. As model proletarian internationalists, they have been constrained from the first to single out Hungarian history for special censure, an exercise in which they found themselves enthusiastically abetted by Rumanians, Czechs, and Yugoslavs, all of whose countries have large Hungarian minorities. For faithful Communists, the Hungarian revolt only proved that the Hungarians have still not managed to outlive their fascist-chauvinist past. In his preface to the new two-volume "History of Hungary," which appeared early this year, Eric Molnár states that the purpose of the work is "to expound Hungarian history in connection with the histories of our neighbor nations and by this means liquidate the Magyar global Hungarocentric, nationalistic point of view."

Even for Communists, it is difficult to promote their national interests while decrying the national character. The Rumanians can—and repeatedly do—tie the Hungarians in knots merely by reminding them of the Leninist rules by which the Hungarians (but not, apparently, the Rumanians) are bound. Thus the world was treated in early 1962 to the spectacle of the Hungarian Government prosecuting Hungarian patriots on Hungarian soil at the insistence of the Rumanian Government. A group of refugee Transylvanian intellectuals—there are many such in Hungary—had been holding regular meetings to consider what could be done to relieve the plight of the Hungarian minority. The Rumanian Government learned of the activity and demanded that the Kadar regime make an example of the group's leaders or bear responsibility for the breakdown of "Hungarian-Rumanian friendship." Three of the former Transylvanians were tried and sentenced. One, Dr. Sándor Püski, was sentenced to 4½ years in prison; the others got off a little lighter.

In retrospect, we can see that the Hungarian revolt, whose first demand was the withdrawal of Soviet troops from Hungary, made the continued presence of Soviet troops in Hungary essential to the existence of a Communist regime. Furthermore, the revolt virtually stripped the Kadar regime of any room for diplomatic maneuver inside as well as outside the Soviet bloc—particularly since the Rumanian Communist Party was able to turn the revolution to its own nationalistic purposes. And in the process, not surprisingly, Hungary's unequal struggle with Rumania has strained many a prominent Hungarian Communist's doctrinal allegiance to the breaking point. There is the persistent rumor in Budapest that former Foreign Minister Endre Sik, who had done yeoman service for the Kadar regime in the United Nations following the 1956 revolt, resigned in September 1961 when Kadar refused to forward to Moscow a protest note Sik had prepared on the Transylvanian situation. I can report that the atmosphere in even the top echelon of the Hungarian Communist Party is such that the rumor seems entirely plausible.

Meanwhile relations between Hungary and Rumania have deteriorated still further. Traditionally the churches have played a signal role in the alternate Magyarization and Rumanization of Transylvania; in general, the Catholic and Protestant Churches reflect Hungarian and German interests, while the Orthodox Church has always embodied the ethnic state religion of the Rumanians. As a result, Rumanian Communists have taken to supporting the Orthodox Church as their pawn in the struggle and persecuting the Catholic and Protestant Churches as Hungarian pawns. This spring, Rumanian authorities announced their intention to demolish the historic church of St. Layos, which they characterized as an eyesore, in the middle of the main square of Oradea. To prevent this, several thousand Hungarians took up a day-and-night vigil around the church for more than a week—an action that paralyzed traffic and threatened to produce a major riot at any moment. The Rumanian authorities finally reversed their decision—temporarily.

The greatest single source of irritation to the Hungarians is the state cultural agreement with Rumania. Strict Rumanian application of the terms of the agreement has prevented the Hungarian Government from establishing any sort of cultural link between the homeland and the minority. Hungarians in Rumania are restricted to a mere half dozen classical Hungarian authors such as the 19th-century epic poet János Arany and the lyricist Endre Ady. Most other books in Hungarian are translations of Rumanian authors. According to the terms of the agreement, no book concerning Transylvania may be published in Hungary without the approval of the Rumanian censors. Radio and television broadcasting are not restricted by the agreement, and here the Hungarians enjoy a geographical advantage since most of Transylvania is closer to Hungary than to Bucharest, which is on the other side of the Transylvanian Alps in any event. However, Radio Bucharest competes with Radio Kossuth in Hungarian-language programs, and the Rumanian authorities advise against listening to the Hungarian state radio.

The only comic relief in the situation is provided by the use both sides have made of the Hungarian-Rumanian film-exchange program. The Hungarian Government always takes the maximum of eight films a year—even though the notoriously poor Rumanian films are boxoffice poison—in order to insinuate an equal number of Hungarian films into Rumania. The Hungarians were incensed, however, when the Rumanians dubbed in Rumanian-language sound tracks and then added insult to injury by providing the minority with Hungarian subtitles. When the Hungarian Government protested, the Rumanians stopped the dubbing and provided Rumanian subtitles—but then deliberately desynchronized the Hungarian sound tracks. The old subtitles in Hungarian were at least legible.

The Rumanian authorities have adopted a wide variety of other measures to isolate the Hungarian minority from contact with what most of them think of as their homeland. A Hungarian in Rumania must wait from 6 months to a year for permission to visit relatives in Hungary—if he is lucky. Foreign tourists in Rumania are allowed the run of the country—unless the tourist happens to be a Hungarian citizen. In this case he is restricted to a radius of 6 kilometers from the center of the location he designates as his destination upon entering the country. If he oversteps this limit, the Hungarian tourist is arrested, interrogated, and summarily deported—if he is lucky. There were 32 Hungarian-language dailies in prewar Rumania; today there is one—which nobody reads at all. All these changes, Hungarians on both sides of the border must remind themselves ruefully, are the fruits of communism.

A hopeless dilemma confronts the once powerful Hungarian wing of the Rumanian Communist Party: its members must support, if not actively implement, the Rumanian Government's antiminority policy. As a result, the Hungarian wing has been purged by the Rumanian party leadership and ostracized by the Hungarian minority. As nearly as I could make out, the only crumb Hungarian Communists in Budapest can proffer to Hungarians in Rumania is the advice that they should infiltrate the Rumanian Communist Party in order to promote the practice of Leninist principles, particularly as regards minorities.

According to one historian I talked with, the organization of the Szekely area as an autonomous region put the Russians in a position "to balance the old Transylvanian question between Rumania and Hungary." But the position was abandoned with the withdrawal of Soviet troops from Rumania. Since then, the Soviet Union has kept pretty much out of the situation. In a speech during his visit to Hungary last spring, Khrushchev made a watered-down reference to the proper care and feeding of minorities. The Hungarians were openly dissatisfied with it, but about all they have been able to do is make official but unpublicized protests to the Rumanian Government. Recently, Premier Kadar upbraided the Rumanian delegation in Budapest over the treatment of the Hungarian minority in Rumania, but the Premier apparently succeeded only in leaving his visitors "highly offended."

The Rumanians were among the first to recognize "genuine proletarian internationalism" as merely a Soviet device to justify maintenance of military bases in Eastern Europe and so secure Soviet economic exploitation. And even this Soviet desire has been skillfully used by the Rumanians in the service of their own national cause, leaving others to make the sacrifices for the sake of international communism. In effect, Rumania capitalized on the misconceived gallantry of the Hungarians, whose revolt gave their neighbor a chance to win concessions from the Russians.

And through it all, the Rumanians clearly foresaw the reemergence of nationalism, which Communist theoreticians used to call "the main danger to the successful construction of the new state system." Far from being surprised by the Sino-Soviet split, the Bucharest government was banking on it. As a widely quoted Rumanian proverb has it: "In time the waters recede, the rocks remain."

THE HUNGARIAN MINORITY PROBLEM IN RUMANIA

(Bulletin of the International Commission of Jurists, No. 17)

From the 11th century until 1918, Transylvania, a region of some 23,300 square miles, or some 40,700 if the larger area including Maramures, Crisana and the Banat is included, came in one way or another under Hungarian rule. In 1918, it was ceded to Rumania as a region then consisting of some five and a quarter million, of whom half a million were German, one and a half million Magyar and the remainder Rumanian. There is a bitter and bloody history of national tensions. The region now comprises one of the most important national and linguistic minorities in Eastern Europe and provides an absorbing case study on the treatment of minorities in a Communist People's Republic. The total Hungarian population of Rumania, according to the 1956 census, was approximately 9.1 percent.

The detection of discrimination in most countries is a difficult process which does not appear from the ipsissima verba of legislation and it is difficult to pin down administrative practice as discriminatory unless the group discriminated against is expressly designated. It is usually a simpler process to examine legislation and practice to see what is missing from the point of view of the rights of a group in question. In a Communist state the denial of freedom to any particular group must be examined in the context of the entire social and political outlook of the state, since many rights and freedoms as understood in liberal democracies are denied to the whole population. If it be that a particular group resists the process of socialization more vigorously than another, it is not easy to see the line between discrimination against that group and the employment of greater force to deal with greater resistance. These facets of a Communist state have been much in evidence in the past and it is against this background that the minority question in Transylvania has to be considered. The experience of the Chinese People's Republic, with the peculiar blend of communism and chauvinism on the part of the ethnic majority, viz, the Great Hana, toward the Tibetans was, for example, admitted by the Chinese themselves. Again, discrimination exists in the Communist ideology itself, but is part of the general doctrine that social progress is to be achieved through the strengthening of the proletariat, which requires for its accomplishment the strengthening of class consciousness among the people. This has nothing to do with discrimination against a national, ethnic, religious, or linguistic group.

A further obstacle to a fully documented study of minority problems in Transylvania is the absence of sufficient reliable data. In a Communist society the public ventilation of grievances at the political level is severely restricted and silence extends also to minorities with a grievance.

THE PEACE TREATY AND THE CONSTITUTION OF 1952

The peace treaty concluded between the allied powers and Rumania in 1947, stipulates in Part II (political clauses), section 1, article 3 that:

1. Rumania shall take the steps necessary to secure to all persons under Rumanian jurisdiction, without distinction as to race, sex, language, or religion, the enjoyment of human rights and fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion, and of public meeting.

2. Rumania further undertakes that the laws in force in Rumania shall not, either in their content or in their application, discriminate or entail any discrimination between persons of Rumanian nationality on the grounds of their race, sex, language, or religion, whether in reference to their persons, property, business, professional, or financial interests, status, political, or civil rights or any other matter.

Thus, the wording of the peace treaty clearly excludes discrimination against minorities and it is of little consequence whether the Hungarians in Transylvania are to be regarded as an ethnic, i.e., racial group, since their language alone is sufficient to bring them within this protection.

Particularly striking, both with reference to the peace treaty and in comparison with the constitutions of most other people's democracies, are the provisions of article 82 of the Rumanian Constitution of 1952. This article provides that all the national groups in the territory of the Rumanian People's Republic are entitled to use their respective languages and to have at all levels establishments of public education in which instruction is given in their mother tongue and further that the spoken and written language used by administrative and judicial authorities in districts where a national group other than Rumanian is in the majority should be the language of this national group; civil servants in such areas should be appointed from among members of this majority group, or if from other groups, it is necessary that they speak the language of the majority. Article 84 follows the lines of the Soviet Constitution in recognizing not only the separation of church and state but also the exclusion of the church from education. No religious community may have its own educational establishments, but theological schools may train people to carry out their part in religious services. In two other articles the constitution deals with the rights of national minorities. In article 17, which lists the duties of the Rumanian states, there is a duty owed by the state to protect national minorities and especially their culture, which ought to be socialistic in its content and national in its form. Article 81 goes into the realm of enforcible legal sanctions protecting minorities and within the general framework of provisions concerning equality before the law it is provided that any kind of chauvinistic persecution of non-Rumanian national minorities or any kind of propaganda calculated to bring about such persecution is a criminal offense.

It should be noted that only the cultural rights of minorities are mentioned and article 17 designates the Rumanian state as unitary, independent, and sovereign, thus excluding any form of federation, such as, e.g., the Soviet Union or the United States. In this respect, restricting minority rights to cultural matters and protection from persecution shows little advance from the position of national minorities in the former Kingdom of Rumania between the two World Wars. How far the cultural rights of the large Hungarian minority in Transylvania are respected will now be considered.

ADMINISTRATIVE MEASURES

Foremost among these is the redemarcation of regions and cities, thereby fragmenting the Hungarian population in such a way as either to reduce their majority or to convert it into a minority. The Hungarian autonomous province was created in 1952 by articles 19 and 20 of the constitution of that year. The total population of this province was, according to the 1956 census, composed of 77.3 percent Hungarians, 20.1 percent Rumanians, 0.4 percent Germans, 0.4 percent Jews, and 1.5 percent gypsies. In December 1960 a governmental decree modified the boundaries of the Hungarian autonomous province. Its whole southern part, which was predominantly Hungarian, was attached to Stalin province, which has now of course been renamed and is known as "Brasova." In place of this, several districts with an overwhelming Rumanian majority were joined to it from the southwest. This boundary adjustment reduced the Hungarian population by approximately 82,000 and increased the Rumanian population by approximately 131,000 out of a total population of just over half a million. The official reasons were to facilitate communications and administration, but the new name given to the freshly demarcated province echoes the real fact of the situation, vis., the substantial dilution of its Hungarian character. The province was no longer called the Hungarian autonomous province but the Mures-Hungarian autonomous province, after the River Mures.

The process of dilution was carried still further, though by less obvious methods, by the drive toward industrialization. The region adjacent to Hungary already had the highest rate of industrialization in the country but the program aimed at an overall stepping up, for the border regions of Transylvania as well as for the rest of the country. In a Socialist economy not only does industrialization mean the growth of the urban proletariat, but it also means the creation of a large industrial bureaucracy. In the process of stepping up the industrialization of industrial Transylvania, large numbers of civil servants, administrative staff, industrial bureaucrats, and workers of Rumanian nationality swelled the Rumanian population in the regions neighboring Hungary. In this case it is difficult to speak of a failure to respect the rights of the Hungarian minority. Industrialization with its consequent internal migration is a common enough feature of many societies. Where, however, there is an influx of a minority group and an exodus of a majority group the consequences for the culture of the majority group are important enough if the matter stops there, Many young Hungarians are obliged to leave Transylvania in search of work in the territories to the south and southeast of Transylvania, which are known as Old Rumania. And, it should be observed, the matter does not remain there, as will be shown later in this article.

There is another technique which frequently conceals de facto discrimination beneath a facade of general applicability. Whether or not the famous law No. 261 of April 4, 1945, and decree No. 12 of August 13, 1945, did in fact discriminate against Hungarians, its provisions certainly weighed very heavily on Hungarians who had Rumanian citizenship. This law provided that all persons who served in military or paramilitary organizations of a state having been at war with Rumania lost their Rumanian citizenship. Decree No. 12 fixed the operative date for such service as after August 22, 1944. For practical purposes this meant that the Hungarian minority would lose their Rumanian citizenship. The circumstances were that Rumania joined the Allies against the Axis Powers in 1944, while Hungary was under German occupation and on the Axis side until the end of the war in May 1945. The northern and predominantly Hungarian part of Transylvania was given back to Hungary in 1940 by the Germans and Italians and under the Hungarian regime of Horthy all adult males were obliged to enlist for military service and youths were required to join young people's paramilitary organizations. Through these circumstances few Hungarians escaped the threat of losing their nationality. It was provided that joining the Communist Party would save them from losing it.

DISCRIMINATION IN THE CULTURAL FIELD

The steps taken by the Rumanian authorities to weaken Hungarian culture are again in some cases mixed with what might be merely part of the general Communist policy. Thus, for example, both Catholic and Protestant churches were deprived of their schools; this in itself was merely part of the normal materialistic and secular policy of a Communist State and as such, although it struck a particularly severe blow at Hun-

garian culture, it was not discriminatory. But there was also a widescale destruction of centuries-old Hungarian private or public archives and libraries, and the devastation of old Hungarian castles to provide stone material for new buildings. Vital links with the past were thereby wiped out.

Until 1958, a large-scale educational system, from the primary to the university level, flourished in Hungarian. Since then, however, the situation has changed rapidly. The number of Hungarian primary schools is steadily dwindling and a decree now in force authorizes only the eldest of a family's children to study in a Hungarian-language school. At the level of higher education the Rumanian authorities introduced a system of "parallel sections." This meant that in such an institution a parallel Rumanian curriculum with Chairs held by Rumanians were introduced. When this cuckoo in the nest was big enough it took over the whole nest and the Hungarian section disappeared. Another method which helped in cutting down instruction in the Hungarian language was for the student body and the teaching staff of the institutions concerned to announce that for practical considerations and in accordance with their desire to perfect themselves in "the beloved Rumanian mother-tongue" they had decided to combine with a Rumanian-language institution, or in the case of a bilingual institution to go over entirely to Rumanian. This process was carried so far that even student hostels felt its impact; Hungarian students asked to share a room with a Rumanian in order to perfect their knowledge of Rumanian. At the present time the medical school in the capital of the Mures-Hungarian autonomous province is undergoing "parallelization." For Hungarian academic establishments there is now a limited admission quota. In 1958, the Hungarian University in Cluj, Bolyai University, fused with the Rumanian University of Babes. The fusion was marked by the suicide of three of the professors at Bolyai University.

Certain facets of this process in isolation could be laudable. For example, it is an excellent language training to share a room with someone speaking a different language, but the whole pattern of cutting down Hungarian-language instruction in an area which is or was so Hungarian that it was a part of Hungary for almost 900 years cannot be reconciled with respect to the constitutional rights of the Hungarian minority and is by no means explicable as part of the normal process of shaping a Communist society. For centuries Hungarian culture and tradition have taken deep root and survived the vicissitudes of fortune, both kindly and outrageous. It is difficult to conceive that a people so deeply rooted in its culture would itself clamor for the destruction of that culture by absorption into the Rumanian mainstream.

A further instrument for the dilution of the Hungarian majority in Transylvania is the resettlement of Rumanian refugees coming from Bessarabia. Their reintegration into Rumanian economic and social life has taken place mainly in Transylvania, where they constitute a large part of the labor force in the industrial development from the western belt neighboring Hungary to the heart of the Mures-Hungarian autonomous province, and they are settled mostly in cities where the proportion of the Hungarian population is still high, e.g., in Cluj, the capital of Transylvania.

The Rumanian National Statistical Office carried out a census in 1956 and it was emphasized that the civil servants carrying out the census were obliged to call attention in each case to the basic difference between nationality, i.e., ethnic origin, and mother-tongue. All persons registered had to state to which national ethnic group they belonged. The distinction between national group and mother-tongue and the obligation to state before officials one's national group drive a wedge between a people and its culture and this indeed is reflected in the figures given by the census. For every 1,000 people of declared Hungarian origin there were 1,042 giving Hungarian as their mother-tongue. It is difficult to believe that Hungarian, difficult and almost unrelated to other languages, is the mother-tongue of any but Hungarians, and yet 4.2 percent of the Hungarian minority group shrank from stating that they were Hungarian. The reasonable conclusion to be drawn from this is that in their eyes it was better not to declare oneself to be Hungarian. The more innocent explanation of gross inefficiency in the compilation of the census would seem to be negatived by the deliberate distinction drawn by officialdom where no real distinction exists.

Too many individual items which could be capable of other explanations than discrimination if taken singly point unmistakably when viewed as a whole toward a pattern of conduct. In short, as far as the Hungarian people in Rumania are concerned, they appear in the give and take of living together to lose on both the swings and the roundabouts. When this happens to a minority group it is difficult to resist the conclusion that they are being subjected to discrimination.

Mr. ASHBROOK. Mr. Speaker, many writers and statesmen have clearly described for us the specific data on the administrative, economic, cultural, and linguistic persecution of the basically anti-Communist Hungarian minority in Transylvania. I might add that suppression of cultural life is also taking place, as only recently the Transylvanian Hungarian Writers Union was merged with the Rumanian Writers Union and even in the Hungarian Theater at Marosvasarhely—Tirgu Mures—Rumanian plays were mostly performed in 1964.

We all realize that true ideological coexistence and friendship with Rumania will not be possible as long as the Communist Gheorghiu-Dej regime exists. Freedom is a commodity missing in the Rumanian life despite the sanctimonious and only partially kept promises of the Government to the State Department last year about amnestying the political prisoners. To this day, Communist sources mention the release of 10,000 prisoners, certainly less than the total number incarcerated during the Stalinist period and in the wake of the Hungarian Revolution of 1956. Interestingly, however, Hungarian sources in America only know of 67 specific cases where a Transylvanian Hungarian, imprisoned by the Communist regime, has been freed.

We should not give up our right to demand democratization of the regime and ultimately free elections before we throw several hundred millions of dollars that will only further upset our balance of payments, to the wolves in sheep clothes in Bucharest. We should remember that several Democratic platforms and all Republican platforms during the past 17 years were committing the administration, be it Republican or Democratic, to the cause of peaceful liberation of Eastern Europe.

However, at the present time we have made agreements with Rumania and we are implementing them both by direct aid and by allowing our private enterprises to export industrial machinery and know-how to Rumania. By doing so, we are helping Rumania to proceed with its industrialization plans despite lessened Russian aid and Comecon cooperation. Thereby, however, we are also undermining the solidarity of the Western bloc on East-West trade, a serious step indeed which led to a crumbling of trade barriers in strategic goods between our adversaries and allies. France and lately Germany are following the example set by England in extending long-term credits to Communist nations, which in most cases equals gifts, as the Communists were never known to pay their debts after a few years; witness the lend-lease debt which they still owe us.

Under these circumstances, it becomes imperative to conduct the economic and cultural relations with the Gheorghiu-Dej regime under the auspices of realistic bargaining and quid pro quo. The Johnson administration cannot escape the responsibility to promote American interests and the interests of freedom and human rights in negotiating with the Gheorghiu-Dej regime. Therefore, it is necessary to remind those who think that East-West trade will be the panacea to world peace and balance-of-payments difficulties and that internal differences with Moscow must absolve the Communist satellite regime from too close a scrutiny, that we cannot condone their repressive actions and must try to lessen or abolish them by using our economic leverage.

More particularly in the case of Rumania we must insist upon a cessation of political repression and economic scattering of the Hungarian minority. While we have only a limited influence over any Communist regime no matter what difficulties it might have with Khrushchev and his successors, it would not be impossible to insist upon conditions which are laid down in the United National Charter and the Rumanian Communist Constitution of 1952. Observance of these conditions would include:

First. Restoration of the right of freedom of movement to professionals in Rumania. This provision would also restore the right of professionals to change their present assignments for a new one which brings them closer to their home area or nationality region. The same provision should be applied also to technical personnel and skilled workers if assignments are available in their own nationality areas.

Second. A promise by the Rumanian Government not to use American funds, or American plants received for the furthering of Rumanization of Hungarian or German areas. Such a provision is not unusual, as we have asked even NATO allies not to use NATO military aid for certain purposes and financial checks were added to many foreign aid sums to other countries.

Third. Release of all political prisoners, including those belonging to the Transylvanian Hungarian minority by the set deadline June 30, 1965—this deadline was promised by the Rumanian Government in last May.

Fourth. Reopening of the merged Hungarian educational institutions, especially on high school and college

level, including the Bolyai University and the college at Nagyenyed—Aiud. Also cessation of the parallelization where it does not now exist.

Fifth. Expansion of the elementary schools of the Hungarian minority, giving the opportunity to Hungarian parents outside of the autonomous province to send their children into Hungarian and parallelized schools rather than into Rumanian ones.

Sixth. Restoration of the Hungarian Writers Union and other cultural goods like the libraries of Gyulafehervar—Alba Julia—and Nagyenyed—Aiud—to the Hungarian minority.

Seventh. Permission by central and local authorities of the use of the Hungarian language in public both within and without the autonomous province in Transylvania.

Eighth. The reinstallation of the heroic Hungarian Catholic bishop of Gyulafehervar—Alba Julia—Aron Marton to his see and restoration of some Catholic and other denominational schools for the Hungarian minority in Transylvania, and preferably a new settlement with the various churches, including the Vatican.

Ninth. A reattachment of the districts of Haromszek—Trei Scaune—to the Mures Autonomous Province and restoration of the name Magyar Autonomous Province to the same. Also cessation of the constant replacement of local officials by Rumanians in this province, and numerical representation of Hungarians in the village and town councils in other Transylvanian areas.

Tenth. Free settlement rights of Hungarians in the cities.

Of course, even if all these reforms were implemented by the Gheorghiu-Dej it would not make his state a democracy as long as free elections would not show the real sentiments and opinions of the people. But we as Americans would have contributed our share to lessening the cross of double persecution from the Hungarian minority in Transylvania, and the administration would have at least a plausible explanation for its actions toward helping a Communist state.

Many people will say that attaching conditions will slow down the Rumanian secession from the Communist bloc. I do not believe so. The Rumanians quarrel with Moscow partly because of their own national economic interests, but partly because they clearly realize that the Soviet-Chinese rift and the growing power of Western Europe and the United States leave them no other reasonable choice. And Rumanian history shows that their diplomats whatever their social and political background were reasonable and calculating men. They are hard bargainers, but they know the limits of their power and influence. It is up to the administration whether 3 years from now we will hear the administration admit that it had foolishly squandered its funds and licenses upon a hardline Communist state or whether the Members on my side of the aisle will be proven wrong by a genuine change in Rumania. However, if we do not act for freedom of both Rumanians and Transylvanian Hungarians, we will be guilty not only of a grave omission but of betraying all the principles in which we, on both sides of the aisle profess to believe as Americans. And let it not be said that someone did not warn us beforehand.

Mr. ADDABBO. Mr. Speaker, I join with my colleague in expressing dismay at the discrimination being practiced against the Hungarian minority in Rumania today. This Nation, founded on freedom and equality for all, abhors discrimination wherever practiced whether at home or abroad.

There is documented proof that Rumania discriminates against the Hungarian minority in the educational, cultural, economic, linguistic, and administrative fields. In the 1947 peace treaties with the Allied Powers, Rumania agreed to grant to all under her jurisdiction the enjoyment of human rights and fundamental freedoms without discrimination as to race, sex, language, and religion. Inasmuch as Rumania has not lived up to her agreements, I believe it behooves us to take a stand before the world in opposition to this discrimination.

Because of my conviction that this body should interest itself in the plight of the Hungarian minority in Rumania, I am today joining with many of my colleagues in sponsoring a resolution expressing the sense of the House of Representatives of the United States that discriminatory measures of the Rumanian Government be condemned.

Mr. CRAMER. Mr. Speaker, the mistreatment the Hungarian minority in Rumania receive has long been a subject of grave concern to me as it should be to all freedom-loving people everywhere. Unfortunately, it is not a subject which has received the attention it deserves by our Government.

The Hungarian minority in Rumania suffers today largely because of its demonstrations in support of the Hungarian revolt which took place in Hungary in 1956. While not openly revolting, the unrest displayed in 1956 was not forgotten by the Gheorghiu-Dej regime which quickly became convinced that the Hungarians living in Rumania were not to be relied upon.

The subtle genocide that is being pursued against the Hungarian minority, still about 1.65 million strong, is a double persecution—one on the ethnic level and one on the ideological level—and should be recognized and condemned by the United States as such.

If we are to encourage limited Rumanian independence from Moscow by economic concessions, as we are apparently doing, we should demand some concessions in return and the concessions should be directed toward preserving the human rights of the Hungarian minority which is suffering so greatly under that Communist regime.

Mr. Speaker, U.S. funds should not be used to further repress those Hungarians who, in 1956, showed themselves to be our friends and have, as a result, incurred Communist and Communist-Rumanian displeasure alike.

Mr. LINDSAY. Mr. Speaker, I wish to join my colleague from New York [Mr. HALPERN] in deploring the mistreatment of the Hungarians living in Communist Rumania.

The 1,700,000 Hungarians in that country constitute the largest ethnic minority in Eastern Europe. Their cultural institutions are threatened with destruction by the Communist regime, largely because of the Hungarian Revolution in 1956.

The uprising in Budapest established the Hungarians, both in Hungary and in Rumania, as the enemies of the Communist state. Demonstrations of sympathy with the freedom fighters were conducted in Rumania while the fighting was in progress. Hungarian students marched in Cluj, Medias, Timisoara, and Tirgu Mures. The demonstrations frightened the Communists. It appeared for a time that the revolution might spread into Rumania itself.

As a result, those who took part in the demonstrations were savagely repressed. Russian troops throttled the nationalistic outbreak in Rumania, and thousands of Hungarians were arrested—many of them were later executed. The Rumanians inflicted such severe controls over the previously autonomous Hungarian group that Russian troops left the country 2 years after the revolt.

The Rumanian Government has continued its efforts to fragment and assimilate the Hungarian minority. One of the most far-reaching measures has been the consolidation of Rumanian and Hungarian schools. Also, Rumanian has been designated the official language. Moreover, the state cultural agreement between the Communist governments of Rumania and Hungary has in effect ended any meaningful connection between Rumanian Hungarians and their motherland. Among other provisions of the agreement is a prohibition against the publication of any book concerning Transylvania, which is where most of the Hungarians live, without approval of the Rumanian censors.

It is no easy matter for a Hungarian living in Rumania to visit Hungary. It is not unusual for a Hungarian to wait 6 months to a year for permission to visit the motherland. Conversely, Hungarians who visit Rumania are strictly limited to certain areas.

Mr. Speaker, there has been no visible improvement in the situation since I last discussed the subject in July.

I believe the United States should oppose mistreatment of minorities where ever it occurs. I think we should lend our power and prestige to the struggle against the overt discrimination being practiced in Rumania. It should be remembered that the Hungarian and Rumanian people have many interests in common, one of them being the ambition to rid themselves of Communist domination.

At a time when Rumania seems to be seeking closer ties, both economically and politically, with the United States, I think this country should make clear its belief in the fundamental principal of equality for all races and creeds. In Rumania, specifically, I think we should be concerned with the Hungarian minority's right to conduct its own schools,

use its own language and, in general, to maintain its historic institutions in a free and peaceful manner.

GENERAL LEAVE TO EXTEND

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks in the RECORD on the subject I have just discussed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

REDIRECTING THE EXISTING SUBSIDIZED MIDDLE-INCOME HOUSING PROGRAM TO FAMILIES OF LOW INCOME

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from New Jersey [Mr. WIDNALL] is recognized for 15 minutes.

Mr. WIDNALL. Mr. Speaker, I have today introduced, at the request of the National Association of Real Estate Boards, a bill to redirect the existing subsidized middle-income housing program to families of low income.

The National Association of Real Estate Boards has for many years opposed the extension of public housing primarily because this program involves the Government ownership of family shelter.

This year the realtors' association, while continuing its opposition to the extension of public housing, has proposed an alternative which deserves the serious consideration of the Congress. The alternative would permit a substantial reduction in the interest rate of the present submarket middle-income housing program—identified as FHA section 221(d)(3)—but limit the program to families of low income.

My purpose in introducing the measure is to permit timely consideration of this alternative to public housing by the House Banking and Currency Committee and its Housing Subcommittee in connection with other housing legislation.

The section-by-section analysis and the text of the bill follow:

SECTION-BY-SECTION ANALYSIS OF PROPOSED BILL TO AMEND SECTION 221(d)(3) OF THE NATIONAL HOUSING ACT

Section 1 amends the existing FHA 221(d)(3) program by redirecting it to low-income families and permitting a lower submarket interest rate; and—

(a) Limits use of the program to nongovernmental sponsors (cooperatives, nonprofit organizations, limited dividend corporations, individuals, etc.);

(b) Requires that mortgagors enter into regulatory agreements with the FHA Commissioner and agree to reserve at least 25 percent of the units of the project for families which have been certified by the appropriate local welfare agency as needing housing assistance;

(c) Provides for repair and rehabilitation loans of up to 90 percent of estimated value after such repair and rehabilitation for limited dividend corporations, partnerships, or individual mortgagors;

(d) Limits the occupancy of 221(d)(3) projects to low-income families, defined as those in the lowest income group and who cannot obtain decent, safe, and sanitary housing with 25 percent of family income; and

(e) Requires that in cases of repair and rehabilitation in which refinancing is involved at least 35 percent of the mortgage proceeds be expended for capital improvements to the project.

Section 2 amends section 221(d)(5) to authorize the Commissioner to reduce the interest rate below the rate determined by the statutory formula (presently 3⅞ percent).

Section 3 amends section 221(f) to: (a) Require the Commissioner to adopt regulations to insure that only families of low income are admitted to and occupy 221(d)(3) projects; and (b) require periodic reexamination of the income of the families living in the projects, and require that families move from the project when they are able to provide decent, safe, and sanitary housing for themselves with 25 percent of their income.

Section 4 amends section 227(a)(1) to waive cost certification for projects covered by mortgages executed by limited dividend corporations, partnerships, or individual mortgagors (these mortgages will be based on estimated value after rehabilitation instead of cost).

H.R. 6705

A bill to amend the National Housing Act by providing assistance to families of low income in obtaining decent, safe, and sanitary housing

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 221(d)(3) of the National Housing Act, as amended, is hereby further amended to read as follows:

"(3) If executed by a mortgagor which is a private nonprofit corporation (as defined by the Commissioner), or a cooperative (including an investor-sponsor which meets such requirements as the Commissioner may impose to assure that the consumer interest is protected), or other mortgagor approved by the Commissioner, and regulated or supervised under Federal or State laws or by political subdivisions of States, or agencies thereof, or by the Commissioner under a regulatory agreement or otherwise, as to rents, charges, and methods of operation, in such form and in such manner as in the opinion of the Commissioner will effectuate the purposes of this section, including but not limited to an agreement by the mortgagor that he will make available not less than 25 per centum of the units of the property or project for occupancy by families who have been certified by the appropriate local welfare agency as being in need of housing assistance—

"(i) not to exceed $12,500,000;

"(ii) not exceed, for such part of the property or project as may be attributable to dwelling use (excluding exterior land improvements as defined by the Commissioner), $8,000 per family unit without a bedroom, $11,250 per family unit with one bedroom, $13,500 per family unit with two bedrooms, and $17,000 per family unit with three or more bedrooms; except that as to projects to consist of elevator-type structures the Commissioner may, in his discretion, increase the dollar amount limitations per family unit to not to exceed $9,500 per family unit without a bedroom, $13,500 per family unit with one bedroom, $16,000 per family unit with two bedrooms, and $20,000 per family unit with three or more bedrooms, as the case may be, to compensate for the higher costs incident to the construction of elevator-type structures of sound standards of construction and design; and except that the Commissioner may, by regulation, increase any of the foregoing dollar amount limitations contained by this clause but not to exceed 45 per centum in any geographical area where he finds that cost levels so require; and

"(iii) not exceed (1) in the case of new construction, the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed improvements are completed (the replacement cost may include the land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner), or (2) in the case of repair and rehabilitation, the sum of the estimated cost of repair and rehabilitation and the Commissioner's estimate of the value of the property before repair and rehabilitation: *Provided,* That in no case involving refinancing, except where the mortgage is based on estimated value, shall such mortgage exceed such estimated cost of repair and rehabilitation and the amount (as determined by the Commissioner) required to refinance existing indebtedness secured by the property or project: *Provided further,* That in the case of any mortgagor other than a nonprofit corporation or association, cooperative (including an investor-sponsor), or a mortgagor meeting the special requirements of subsection (c)(1), the amount of the mortgage shall not exceed 90 per centum of the estimated value of the property or project after repair and rehabilitation: *Provided further,* That such property or project, when constructed, or repaired and rehabilitated, shall be for use as a rental or cooperative project, and low income families or families displaced by urban renewal or other governmental action shall be eligible for occupancy in accordance with such regulations and procedures as may be prescribed by the Commissioner and the Commissioner may adopt such requirements as he determines to be desirable regarding consultation with local public officials where such consultation is appropriate by reason of the relationship of such project to projects under other local programs: *Provided further,* That any property or project constructed, or repaired and rehabilitated, with the assistance of this section shall be available for occupancy only by families of low income, as hereinafter defined, and shall be available only in those localities, communities, or environs of communities which shall have requested such project: *Provided further,* That for the purposes of this section 'families of low income' means families (including elderly and displaced families) who are in the lowest income group and who cannot afford to obtain decent, safe, and sanitary dwellings for their use with 25 per centum of family income: *Provided further,* That in the case of repair and rehabilitation involving refinancing, not less than 35 per centum of the mortgage proceeds shall be expended for capital improvements to the project; or"

SEC. 2. The proviso in section 211(d)(5) of the National Housing Act is amended to read as follows: *"Provided,* That a mortgage insured under the provisions of subsection (d)(3) shall bear interest (exclusive of any premium charges for insurance and service charge, if any) at an annual rate determined from time to time by the Commissioner, and".

SEC. 3. Section 221(f) of the National Housing Act is amended by adding a paragraph at the end thereof, as follows:

"With respect to any project covered by a mortgage insured under the provisions of subsection (d)(3), the Commissioner shall adopt and promulgate regulations to insure that only families of low income are admitted to such project. The Commissioner shall also require the periodic reexamination of the incomes of families living in the project and shall require any family to move from the project if the income of such

family has increased sufficiently to enable the family to obtain decent, safe, and sanitary shelter with 25 per centum of family income."

SEC. 4. Section 227(a) of the National Housing Act is amended by striking the comma at the end of clause (iv) and inserting in lieu thereof the following: ": *Provided*, That such term shall not include a project or property covered by a mortgage insured under the second proviso of section 221(d)(3)(iii) of this Act."

GREEK INDEPENDENCE DAY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, the Greeks are ancient friends of freedom. Their history is replete with chapters of struggle and sacrifice for individual liberty and for self-government.

Today marks the 144th anniversary of Greek national independence. This occasion provides us a welcome opportunity to commend our Greek allies for their dedication to the cause of human freedom and their adherence to the political principle of national self-determination.

Modern-day Greece takes pride in their revolution of March 25, 1821, and the role played by thoughtful Americans of that period in support of the Greek struggle for national independence. That is a bright chapter in the history of both nations, out of which has developed a warm and enduring bond of friendship.

When Greek national independence was threatened in the aftermath of World War II by the aggressor forces of imperial Russian communism, a great President of the United States moved with courage and speed to the defense of the Greek nation. The Truman doctrine stands today as another bright chapter in the history of both nations which has served to strengthen our mutual bonds of friendship.

We salute the Greek nation on this anniversary of their Independence Day and wish for them the full blessings of liberty.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HALPERN (as the request of Mr. CLEVELAND), for 60 minutes, today.

Mr. BRAY (as the request of Mr. CLEVELAND), for 10 minutes, on March 25.

Mr. BRAY (as the request of Mr. CLEVELAND), for 10 minutes, on March 26.

Mr. WIDNALL (at the request of Mr. CLEVELAND), for 15 minutes, today.

Mr. FEIGHAN (as the request of Mr. ADAMS), for 10 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. HANSEN of Iowa (at the request of Mr. ADAMS), for 30 minutes, on Thursday, March 25, 1965; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. MACHEN.

Mr. DULSKI.

Mr. ROBISON.

(The following Members (at the request of Mr. CLEVELAND) and to include extraneous matter:)

Mr. MCEWEN.

Mr. FINO.

Mr. MORTON.

Mr. PELLY.

(The following Members (at the request of Mr. ADAMS) and to include extraneous matter:)

Mr. MCCARTHY.

Mr. KLUCZYNSKI.

Mr. COOLEY.

Mr. CELLER.

Mr. CAREY.

Mr. BINGHAM.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1496. An act to authorize the release of certain quantities of zinc, lead, and copper from either the national stockpile or the supplemental stockpile, or both.

ADJOURNMENT

Mr. ADAMS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 13 minutes p.m.) the House adjourned until tomorrow, Thursday, March 25, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

793. A letter from the Acting Administrator, General Services Administration, transmitting a draft of proposed legislation entitled "A bill to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 47 million pounds of abaca from the national stockpile"; to the Committee on Armed Services.

794. A letter from the Comptroller General of the United States, transmitting a report of additional costs resulting from unnecessary procurement of a diesel engine for the military 5-ton truck, Department of the Army; to the Committee on Government Operations.

795. A letter from the Attorney General, transmitting a report on identical bidding in advertised public procurement for calendar year 1963, pursuant to section 7 of Executive Order 10936 issued April 24, 1961; to the Committee on the Judiciary.

796. A letter from the Attorney General, transmitting a draft of proposed legislation entitled "A bill to amend section 35 of title 18 of the United States Code relating to the imparting or conveying of false information"; to the Committee on the Judiciary.

797. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting the calendar year 1964 report on extraordinary contractual actions to facilitate the national defense, pursuant to section 4(a), Public Law 85-804; to the Committee on the Judiciary.

798. A letter from the Under Secretary of the Interior, transmitting a report on the application of the Union Producing Co. for refund of excess oil royalties (barging costs) paid by them on lease OCS 0480, pursuant to section 10(b) of 43 U.S.C. 1339(b); to the Committee on the Judiciary.

799. A letter from the Acting Administrator, Federal Aviation Agency, transmitting a draft of proposed legislation entitled "A bill to amend title 18, United States Code, with respect to the protection of certain officers or employees of the United States, and for other purposes; to the Committee on the Judiciary.

800. A letter from the Secretary of Commerce, transmitting a supplementary report of the highway cost allocation study, supplementing House Documents Nos. 54 and 72, 87th Congress, pursuant to section 210 of 70 Stat. 387, as amended (H. Doc. No. 124); to the Committee on Ways and Means and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCCULLOCH: Committee on the Judiciary. House Joint Resolution 1. Joint resolution proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office; with amendment (Rept. No. 203). Referred to the House Calendar.

Mr. DAWSON: Committee on Government Operations. Twelfth report on disposal of municipal sewage (Rept. No. 204). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H.R. 6674. A bill to strengthen the market price of wheat, corn, oats, rye, barley, grain sorghums, soybeans, and flaxseed by prohibiting the Commodity Credit Corporation from making domestic sales of such commodities at prices less than 125 percent of current support prices plus reasonable carrying charges; to the Committee on Agriculture.

By Mr. MILLS:

H.R. 6675. A bill to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes; to the Committee on Ways and Means.

By Mr. KING of California:

H.R. 6676. A bill to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes; to the Committee on Ways and Means.

By Mr. CEDERBERG:

H.R. 6677. A bill to amend the Internal Revenue Code of 1954 to provide for the gradual reduction and eventual elimination

of the tax on general telephone service; to the Committee on Ways and Means.

By Mr. CLEVELAND:

H.R. 6678. A bill to establish a national cemetery in New England; to the Committee on Interior and Insular Affairs.

By Mr. COLLIER:

H.R. 6679. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. DANIELS:

H.R. 6680. A bill to amend the Civil Service Retirement Act to authorize retirement without reduction in annuity of employees with 20 years of service involuntarily separated from the service by reason of the abolition or relocation of their employment; to the Committee on Post Office and Civil Service.

H.R. 6681. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. DONOHUE:

H.R. 6682. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. McGRATH:

H.R. 6683. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 6684. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Commitee on Ways and Means.

H.R. 6685. A bill to amend the Internal Revenue Code of 1954 to provide a credit against the individual income tax for certain amounts paid as expenses of higher education; to the Committee on Ways and Means.

By Mr. MACHEN:

H.R. 6686. A bill to amend the Civil Service Retirement Act in order to correct an inequity in the application of such act with respect to the U.S. Botanic Garden, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 6687. A bill to assist small business and persons engaged in small business by allowing a deduction, for Federal income tax purposes, for additional investment in depreciable assets, inventory, and accounts receivable; to the Committee on Ways and Means.

By Mr. PATTEN:

H.R. 6688. A bill to amend title 18, United States Code, to provide penalties for the assassination of the President or the Vice President, and for other purposes; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 6689. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 6690. A bill to establish a program of voluntary comprehensive health insurance for all persons aged 65 or over; to the Committee on Ways and Means.

By Mr. ASHMORE:

H.R. 6691. A bill to validate certain payments made to employees of the Forest Service, U.S. Department of Agriculture; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 6692. A bill to amend the Internal Revenue Code of 1954 to repeal the retailers excise tax on luggage, handbags, etc.; to the Committee on Ways and Means.

By Mr. FINO:

H.R. 6693. A bill to permit the transmission in the mails of lottery tickets and other matter mailed in a State where lotteries are legal, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HARVEY of Michigan:

H.R. 6694. A bill to provide free postage for first-class letter mail matter sent by members of the Armed Forces of the United States; to the Committee on Post Office and Civil Service.

By Mr. HUTCHINSON:

H.R. 6695. A bill to provide for a national cemetery at Fort Custer, Mich.; to the Committee on Interior and Insular Affairs.

By Mr. KUNKEL:

H.R. 6696. A bill to amend the Federal Employees Salary Act of 1964 to correct inequities in the operation of such act with respect to transfers during the retroactive period of such act from prevailing rate positions to positions under the Classification Act of 1949; to the Committee on Post Office and Civil Service.

By Mr. ST GERMAIN:

H.R. 6697. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. STALBAUM:

H.R. 6698. A bill to amend the Internal Revenue Code of 1954 to repeal the manufacturers excise tax on pens and mechanical pencils; to the Committee on Ways and Means.

By Mr. TUNNEY:

H.R. 6699. A bill to amend the Fair Labor Standards Act, 1938, as amended, to provide for minimum wages for certain persons employed in agriculture, and for other purposes; to the Committee on Education and Labor.

By Mr. BUCHANAN:

H.R. 6700. A bill to create the Freedom Commission and the Freedom Academy, to conduct research to develop an integrated body of operational knowledge in the political, psychological, economic, technological, and organizational areas to increase the nonmilitary capabilities of the United States in the global struggle between freedom and communism, to educate and train Government personnel and private citizens to understand and implement this body of knowledge, and also to provide education and training for foreign students in these areas of knowledge under appropriate conditions; to the Committee on Un-American Activities.

By Mr. CELLER:

H.R. 6701. A bill to amend section 212 and 213 of title 18, United States Code; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 6702. A bill to amend the District of Columbia Alcoholic Beverage Control Act to prohibit the sales of alcoholic beverages to persons under 21 years of age; to the Committee on the District of Columbia.

By Mr. GILBERT:

H.R. 6703. A bill to amend section 144 of title 28 of the United States Code; to the Committee on the Judiciary.

By Mr. POAGE:

H.R. 6704. A bill to amend Public Law 874 and Public Law 815 so as to authorize the advancement of grants-of-aid, building construction and operational funds for educational purposes which might not otherwise be issued; to the Committee on Education and Labor.

By Mr. WIDNALL (by request):

H.R. 6705. A bill to amend the National Housing Act by providing assistance to families of low income in obtaining decent, safe, and sanitary housing; to the Committee on Banking and Currency.

By Mr. ROBISON:

H.J. Res. 396. Joint resolution proposing an amendment to the Constitution of the United States relating to the eligibility of certain persons to vote for any candidate for elector of President and Vice President or for a candidate for election as a Senator or Representative in Congress; to the Committee on the Judiciary.

By Mr. DOWDY (by request):

H.J. Res. 397. Joint resolution to authorize the Commissioners of the District of Columbia on behalf of the United States to transfer from the United States to the District of Columbia Redevelopment Land Agency title to certain real property in said District; to the Committee on the District of Columbia.

By Mr. KLUCZYNSKI:

H. Con. Res. 368. Concurrent resolution expressing the sense of the Congress that the President should instruct the U.S. Mission to the United Nations to bring the Baltic States question before that body with a view to obtaining the withdrawal of Soviet troops from Lithuania, Latvia, and Estonia; the return of exiles from these nations from slave-labor camps in the Soviet Union; and the conduct of free elections in these nations; to the Committee on Foreign Affairs.

By Mr. ROSTENKOWSKI:

H. Con. Res. 369. Concurrent resolution expressing the sense of the Congress that the President should instruct the U.S. Mission to the United Nations to bring the Baltic States question before that body with a view to obtaining the withdrawal of Soviet troops from Lithuania, Latvia, and Estonia; the return of exiles from these nations from slave-labor camps in the Soviet Union; and the conduct of free elections in these nations; to the Committee on Foreign Affairs.

By Mr. PATTEN:

H. Res. 288. Resolution expressing the sense of the House of Representatives with respect to discriminatory practices by the Government of Rumania; to the Committee on Foreign Affairs.

By Mr. PATMAN:

H. Res. 289. Resolution authorizing the printing of additional copies of House Report No. 175, the report of the Joint Economic Committee on the January 1965 Economic Report of the President with minority and additional views; to the Committee on House Administration.

By Mr. FEIGHAN:

H. Res. 290. Resolution that it is the sense of the House of Representatives that oppression of minorities in Rumania through a systematic plan launched by the Communist regime in control of Rumania be condemned and the President of the United States is requested to take appropriate steps in our relations with the Rumanian Government as are likely to bring relief to the persecuted minorities in the controversial Transylvania region of that country; to the Committee on Foreign Affairs.

By Mr. HALPERN:

H. Res. 291. Resolution expressing the sense of the House of Representatives with respect to discriminatory practices by the Government of Rumania; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

140. By Mrs. MAY: Memorial of the Legislature of the State of Washington requesting that the Federal Sugar Act be amended so that the beet sugar industry of the United States will be authorized to market the additional quantities of sugar produced at the request of the Government of the United States; to the Committee on Agriculture.

141. By the SPEAKER: Memorial of the Legislature of the State of Washington, memorializing the President and the Congress of the United States that land taken by the Government for the Atomic Energy Commission, or similar land, be returned to the original

owners on repayment by them of the condemnation price paid by them to the Government; to the Committee on Interior and Insular Affairs.

142. Also, memorial of the Legislature of the State of Maryland, memorializing the President and the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States dealing with the apportionment of State legislatures; to the Committee on the Judiciary.

143. Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States relative to approving the continuation of the predator and rodent control program which has effectively aided sportsmen, ranchers, stockmen and the general economy; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES:

H.R. 6706. A bill for the relief of Michael Skeriotis; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 6707. A bill for the relief of Lee Sai Wai (also known as Lee Ging Ying); to the Committee on the Judiciary.

H.R. 6708. A bill for the relief of Mrs. Zoraida Dolores Chang de Blanco; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 6709. A bill for the relief of Delroy De Lisser and his wife, Adline Gordon De Lisser; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 6710. A bill for the relief of Fiorella Colantonio; to the Committee on the Judiciary.

H.R. 6711. A bill for the relief of Maria Grazia Giordano; to the Committee on the Judiciary.

By Mr. DUNCAN of Tenneseee:

H.R. 6712. A bill for the relief of Ioanis Kapetanopoulos (also known as John Captain); to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 6713. A bill for the relief of Fortunée Gharbi; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 6714. A bill for the relief of Dr. Sung Suh Park; to the Committee on the Judiciary.

H.R. 6715. A bill for the relief of Domenico Surleti; to the Committee on the Judiciary.

By Mr. KING of Utah:

H.R. 6716. A bill conferring jurisdiction on the Court of Claims to make findings with respect to the amount of compensation to which certain individuals are entitled as reimbursement for damages sustained by them as a result of the cancellation of their grazing permits by the U.S. Air Force, and to provide for payments of amounts so determined to such individuals; to the Committee on the Judiciary.

By Mr. MACHEN:

H.R. 6717. A bill for the relief of Mir Vilayet Ali; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 6718. A bill for the relief of Mrs. Agnes Chin-An Sun and her daughter, Paulina Sun, and her son, John Sun; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 6719. A bill for the relief of Mrs. Kazuyo Watanabe Ridgely; to the Committee on the Judiciary.

By Mr. PIRNIE:

H.R. 6720. A bill for the relief of Ping-Kwan Fong; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 6721. A bill for the relief of Hazel Marie Williams; to the Committee on the Judiciary.

By Mr. REDLIN:

H.R. 6722. A bill for the relief of Denis Ryan; to the Committee on the Judiciary.

By Mr. ROBISON:

H.R. 6723. A bill for the relief of Shirley Shueh-Lan Chen; to the Committee on the Judiciary.

By Mr. RONAN:

H.R. 6724. A bill for the relief of Panagiotis Papanikolaou; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 6725. A bill for the relief of Jesus de la Garza; to the Committee on the Judiciary.

By Mr. STALBAUM:

H.R. 6726. A bill for the relief of William S. Perrigo; to the Committee on the Judiciary.

By Mrs. SULLIVAN:

H.R. 6727. A bill for the relief of Dimitrios Stratos; to the Committee on the Judiciary.

By Mr. TENZER:

H.R. 6728. A bill for the relief of Morris L. Kaiden; to the Committee on the Judiciary.

H.R. 6729. A bill for the relief of Vivian Cohen Kaiden; to the Committee on the Judiciary.

By Mr. UDALL:

H.R. 6730. A bill for the relief of Pao Yuen Shih; to the Committee on the Judiciary.

By Mr. WOLFF:

H.R. 6731. A bill for the relief of Jens Meyer; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

140. By Mr. CORMAN: Petition of W. S. Leinberry and other voters of Los Angeles County, concerning section 14(b) of the Taft-Hartley Act; to the Committee on Education and Labor.

141. By the SPEAKER: Petition of Board of Supervisors, San Mateo County, Redwood, Calif., with reference to pointing out the need for a constitutional amendment on reapportionment; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

A Bill To Permit the Transmission of Lottery Tickets in the U.S. Mails When Mailed in a State Where Lotteries Are Legal

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 24, 1965

Mr. FINO. Mr. Speaker, today I have reintroduced my bill to permit and allow the transmission in the U.S. mails of lottery tickets mailed in a State where lotteries are legal and proper.

My purpose in introducing this measure is to facilitate the distribution via the mails of New Hampshire sweepstakes tickets. Obviously, these tickets are going through the mails because they are getting tremendous circulation. Last year, only 13 percent of the winners were New Hampshire residents. Clearly, the tickets just did not pick themselves up and fly all over the world.

As is frequently the case in connection with gambling, the Federal Government is doing no more than managing to make itself look hypocritically absurd. To the best of my knowledge, no one is getting in any trouble for the instances of ticket mailing I am sure have occurred, but why not make the law reflect commonsense? Not that most of our gambling laws do.

I urge the Congress to take this chance to remove restrictions against mailing of lottery tickets so long as the lottery ticket is mailed in a State where the conduct of such lotteries is legal.

Greek Independence Day

EXTENSION OF REMARKS
OF
HON. HOWARD W. ROBISON
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 24, 1965

Mr. ROBISON. Mr. Speaker, March 25, 1965, marks the 144th anniversary of Greek Independence Day. On that date in 1821 a band of Greek patriots began their struggle for freedom. This was the first echo in Europe of the American Revolution, and their efforts were inspired by the example of the revolution only a few years before which had brought about the existence of the "land of the free." The example of the American Revolution had sown seeds that had grown deep roots.

The Greeks looked upon the United States with hope and admiration. One of the first acts of the first Greek Senate in 1821 was an address to the American people:

> Friends, fellow citizens, and brothers, having formed the resolution to live or die for freedom, we are drawn toward you by just sympathy, since it is in your land that liberty has fixed its abode * * *. Though separated from us by mighty oceans, your character brings you near us * * *. Our interests are of such nature as to cement more and more an alliance founded on freedom and virtue.

Freedom for the Greeks did not come easily or quickly. Finally, 8 long years later with the sympathy and support of the American people and ultimately that of the entire civilized world, they won, as we had won earlier.

Mr. Speaker, Greeks are proud that Americans participated in that noble endeavor, and we, too, should be proud that

we contributed to their inspiration as we join them in commemorating the 144th anniversary of their independence on March 25.

Supreme Court Salaries

EXTENSION OF REMARKS
OF
HON. HERVEY G. MACHEN
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 24, 1965

Mr. MACHEN. Mr. Speaker, a lively House debate was touched off last week on a bill to equalize the salaries of the Supreme Court Justices by raising them the $3,000 a year which was cut out of overall salary increases last year. In these times, the mere mention of the Supreme Court is enough to spark a controversy.

When Congress raised salaries last year, the Senate chopped $3,000 off the $7,500 raises each Justice was to receive. This year it was up to the House to restore the full raises for the Court.

However, Congressmen critical of the Court took advantage of the debate to level a barrage of comment before turning down the pay raise.

There is no doubt that the High Court's decisions may not always make everybody happy. But I feel that the Justices should not be penalized on something as petty as a pay raise for what some others feel have been its injustices. Representative EMANUEL CELLER, chairman of the House Judiciary Committee, told the House:

> I did not know when the bill was to be brought up that we would have a sort of field day of criticism against our highest Court.

And a field day it was. My own feeling is that whether or not I agree or disagree with the Supreme Court, I will always fight to preserve its independence as an equal arm of the Government. The Court will always be with us, regardless of its decisions and their popularity and regardless of salaries.

It is a shame that the pay raise for which I voted was the victim of Congressional pique. I feel that this was a backhanded way to get back at the justices.

Speaking of civil rights and the Supreme Court brings me to a brief discussion of President Johnson's speech on voting rights. The President demonstrated in his speech that he can be an eloquent speaker, that he can truly lead the country along the path to equality for all—the path to the Great Society.

His moving speech was a fine example of how a politician with high ideas can carry them to the Congress and the country in a message that may stand in history with the others made by Presidents who met moments of courage.

I have always supported the constitutional right of every American to vote and shall continue to do so. It is unfortunate that the lawlessness of some of the extremists on both sides make it difficulty for all the people who believe in constitutional government to move ahead with a program to insure these rights.

You will recall that my bill for construction of a working model of the Chesapeake Bay Basin was referred to the Committee on Public Works for action. At the same time, I asked Chairman GEORGE FALLON, of Baltimore, for early hearings.

Last week Mr. FALLON sent me a very encouraging letter about this much-needed project for Maryland. Representative FALLON wrote:

> The investigation and study that you contemplate of the Chesapeake Bay Basin is of genuine interest to me, and you can be sure it is my hope to get quick action from the legislation.

Three notes about my staff:

Miss Gene Miller, who many of you have known for years, is now Mrs. Gene Hollis. She and Ed Hollis of the State Department of Chesapeake Bay Affairs tied the nuptial knot last week. Gene is serving me as executive secretary, as she did for my predecessor, Richard Lankford, of Annapolis. I wish Gene and Ed the best of luck.

My district representative, Silas Dennis, of Hyattsville, has resigned as chief of the Hyattsville Police Department. He started with me in January, taking leave from the department. He is now a permanent member of my staff.

Also, Carol Bodiford, of Suitland, has joined my staff as a secretary.

These staff members—as do all of them—stand ready and willing to serve you.

A Rare Man of Our Times

EXTENSION OF REMARKS
OF
HON. ROGERS C. B. MORTON
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 24, 1965

Mr. MORTON. Mr. Speaker, Oscar Morris was a rare and vital kind of man, even in the field of journalism, which has given history more than its share of unusual men. Oscar was a writer and reporter who lived and breathed in the lines he put on paper. He was an able editor who knew his obligation to present both sides of an issue, but who defended his own views, popular or otherwise, with equal vigor. And, he cut the issues clean.

Oscar was a shirtsleeves newspaperman in the total sense of the term. He was at home and at his best with the men who covered city hall or the White House; with his companions black with newsprint or boys straining under a canvas bag of papers; with cameramen in the darkroom or with politicians in smoke-filled rooms.

Oscar Morris had an undenied compulsion to be where the news was, and for more than 27 years he followed the scent of developing news wherever it might lead him. At the same time, he was a deeply sensitive man, totally involved in the welfare of Salisbury, the Eastern Shore, Maryland, and his country. The hopes and disappointments, the plans and obstructions, the faith and even the fears of his neighbors, all these guided Oscar's pen and his heart.

I counted Oscar a friend. With him you always knew where you stood and it made you comfortable. With him one could feel a mind searching for facts, not just a personality searching for a place to hang his hat. Oscar sought the truth, and in his passing the truth has lost a friend.

Those of us in the public service have been stripped of wise counsel and a helping hand. The Daily Times and, indeed, the times in which we live, have lost a rare and special kind of man.

Letting the Bars Down on Foreign-Flag Competition With American Merchant Marine

EXTENSION OF REMARKS
OF
HON. THOMAS M. PELLY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 24, 1965

Mr. PELLY. Mr. Speaker, earlier this week, a witness, Mr. Thomas Meyer, representing the International Seafarers' Union, stated that the administration had advised his union of their intention to seek an exemption under the coastwise shipping laws, so that foreign-flag vessels could compete with American-flag operations doing business with Hawaii and Alaska.

I must say, Mr. Speaker, as I stated to the witness, that this information was shocking, considering the fact that a number of American-flag shipping lines already serve these two States. For myself, and I am sure for many members of the House Merchant Marine and Fisheries Committee, I serve notice now that if such an exemption is sought, I shall strongly oppose it.

After all, these American operations are not subsidized, and I have every reason to believe they are furnishing excellent service.

Official Maritime Administration figures show that our domestic fleet engaged in intercoastal and coastwise trade, had declined since 1939 until the end of 1961 from 805 to 363 vessels, of which 273 were in coastwise trade. Meanwhile, there have been constant attacks on the Jones Act, to water down the protection which the Congress, recognizing the essentiality of a domestic fleet, has incorporated into our shipping legislation.

As the Seafarers' International Union representative told our committee, the results of letting down the bars in favor of foreign-flag ships may well be catastrophic.

Mr. Speaker, when an American-flag ship is used to transport cargoes, all of the freight dollars are conserved to the benefit of the United States, whereas the opposite is true if other vessels are used. As a result, the American-flag steamship industry contributes almost $1 billion a

year directly to our balance of payments. If there were no American-flag fleet, our balance-of-paymens deficit would be some $2 billion greater.

Veterans' Administration Facilities in the State of Illinois

EXTENSION OF REMARKS
OF
HON. JOHN C. KLUCZYNSKI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 24, 1965

Mr. KLUCZYNSKI. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a letter which I addressed to Hon. William J. Driver, Administrator of the Veterans' Administration, and his reply which relates to the facility at Dwight, Ill.:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 25, 1965.

Hon. WILLIAM J. DRIVER,
Administrator, Veterans' Administration, Washington, D.C.

DEAR MR. DRIVER: I have received a number of letters and telegrams from individuals in my district and from various parts of the State of Illinois protesting against the proposed closing of the facility at Dwight, Ill.

These communications have to be answered and I would appreciate hearing from you as to the justification for such a step.

Yours very truly,
JOHN C. KLUCZYNSKI.

VETERANS' ADMINISTRATION,
OFFICE OF THE ADMINISTRATOR
OF VETERANS' AFFAIRS,
Washington, D.C., March 1, 1965.

Hon. JOHN C. KLUCZYNSKI,
House of Representatives, Washington, D.C.

DEAR MR. KLUCZYNSKI: This is in response to your recent letter concerning the closing of the Dwight Veterans' Administration facility and I want to thank you for your thoughtful inquiry which affords me this opportunity to clarify certain points.

Although you are quite properly concerned with this action as it relates to Illinois, it might give you a better insight into the reasoning behind the closing to examine the decision in the light of the history of the Veterans' Administration medical program since the end of World War II.

While the Veterans' Administration was fortunate in having a number of highly skilled and extraordinarily dedicated doctors, nurses, and other medical staff, the medical program in the period between World Wars I and II had not fully shared in the general progress of American medicine. Then, with the end of World War II, and the influx of huge numbers of veterans needing medical care, what might be termed a "medical revolution" occurred.

That revolution had one essential element—that medical decisions be made on medical grounds. With new professional direction and working closely with the Nation's medical schools, the VA hospital program moved forward vigorously to meet two concurrent challenges. The first and immediate challenge was to its ability to absorb the massive influx of returning veterans who needed and deserved nothing but the finest hospital care. All existing VA hospital space was used in this effort, and additional beds acquired from the Armed Forces or from others. The second phase, still going on, was to assure that our hospitals were the right kind, in the right place, and able to offer the fullest possible spectrum of modern medical care.

As part of this second phase, new facilities were built as rapidly as possible, and old ones closed. The decision to close hospitals was made for a number of cogent reasons, for many of the hospitals under VA control were already obsolete by World War II, and a considerable number of those taken over at the end of the war were uneconomical or in other ways unsuitable. For example, a number were originally constructed for other purposes. Some were old soldiers' homes; one was a girls' school; some were formerly hotels; and many were of ungainly cantonment type temporary or semipermanent construction.

These stopgap structures were closed continually throughout the years as new facilities were constructed, and since 1950 we have closed or transferred title to 19 hospitals.

Physical obsolescence is, of course, only one of the many factors considered in the always painful decision to terminate a hospital which, we recognize, is often a source of legitimate pride to the community in which it exists.

Other significant factors are the forward march of medical knowledge and the continued migration of the veteran population. For example, and to a large degree as a result of our own research, the number of hospitalized veterans suffering from tuberculosis declined from 17,000 in 1954 to 7,000 in 1964. As a result, we were able to reduce the number of tuberculosis hospitals from 21 in 1955 to but 4 today. Their closing illustrates the fact that progress in medicine, as in any field, requires the abandonment of antiquated instruments.

But the picture of the VA closing hospitals is only part, the negative part, of what we have been doing through the years. The positive part consists of a dynamic program of building new facilities where needed, and replacing and modernizing other hospitals. The program of building new and replacement hospitals is now proceeding at an annual rate of approximately $100 million.

There are many ways to measure the enhanced effectiveness of our medical program as a result of this revitalization. Perhaps the best—and most dramatic—is in the number of patients treated. With approximately the same number of beds as in 1960, our hospitals are now treating almost 750,000 sick and disabled veterans, over 100,000 more than in 1960.

Three facts are clear: First, decisions on medicine are best made on medical grounds; second, there is ample precedent for the closing of marginal hospitals; and third, the Veterans' Administration is continually upgrading its facilities so that they serve more veterans more effectively.

Thus the closing of the Dwight hospital is a reflection of the fact that the Veterans' Administration cannot afford to maintain marginal units in a period of rising demand for its services, great changes in the focus of this demand, and increasing complication of the facilities needed to provide a full spectrum of care.

The continuing transfer of effort and resources by the Veterans' Administration into more effective facilities, far from conflicting with President Johnson's commitment to advance the health of the Nation is, I believe, completely consonant with it. For war, whether against foreign enemies, or the enemies of man's physical well-being, must be waged in the most effective manner, using only those tools that will best do the job.

Finally, and I think completely in line with your legitimate concern for the health of the community, veterans and nonveterans alike, it should be pointed out that the Veterans' Administration stands ready to assist in any effort to utilize this VA facility for health purposes or to meet other community needs, and that a number of former VA hospitals, such as those at Springfield, Mo.; Minot, N. Dak.; and Outwood, Ky., have been put to such constructive use by other Government or private nonprofit agencies.

One final word. The decision to transfer beds from the 11 marginal hospitals was taken only after the most detailed study during a period of many months; and the governing factor in this decision was the clear conclusion that the reorganization would increase the overall ability of our medical program to render better service to all veterans.

In view of your interest, I am also furnishing you with a copy of a statement Dr. Thomas H. Brem, professor of medicine at the University of Southern California School of Medicine, made to the chairmen of the several congressional committees. Dr. Brem is Chairman of a Special Medical Advisory Group, established by act of Congress to advise the Veterans' Administration relative to the care and treatment of disabled veterans.

Sincerely,
W. J. DRIVER, *Administrator.*

VA Versus Politicians

EXTENSION OF REMARKS
OF
HON. ROBERT C. McEWEN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 24, 1965

Mr. McEWEN. Mr. Speaker, I was amazed and shocked to read the contents of an editorial in the March 16 issue of the Washington Daily News. My shock and amazement stems from the fact that this editorial contains both factual errors and inaccurate inferences. The editorial, entitled, "VA Versus Politicians," follows:

VA VERSUS POLITICIANS

Suppose you were operating a business which cost you nearly $4 per day more for each customer than the national average. Or which had more than three times the annual upkeep cost of similar businesses. Or which was forced by circumstances to offer poor service.

Under such conditions, you hardly could be blamed if you decided to close your shop and move to a less costly, more convenient location. And the last thing you'd expect would be to find your decision a target of loud complaints by politicians.

Yet that is precisely the situation in which the Veterans' Administration finds itself as it seeks to close some of its hospitals and shift patients to newer and better ones. The very suggestion has brought howls of wrath from Members of Congress.

New York Senator Robert F. Kennedy, for instance, objects to the projected closing of the hospital at Sunmount, N.Y., in the Adirondack Mountains. He seems to think its closing would be an inconvenience to patients.

The fact is, as the VA has pointed out, that nearly half of Sunmount's patients come from more than 200 miles away. Recruiting of professional staff is difficult. Patients in need of highly skilled treatment must be transferred elsewhere. About the only people who stand to gain by Senator Kennedy's objection are the townspeople in Sunmount, who presumably are potential Kennedy voters.

Or take the VA hospital at Miles City, Mont., which has come under the protective wing of Democratic Majority Leader MIKE MANSFIELD. Because of its isolation and low

patient load, the daily cost per patient at Miles City is $32.27 compared with a national average of $28.38. Staffers have had to be transferred from as far away as Minneapolis.

Another hospital the VA wants to close, at Brecksville, Ohio, has an annual upkeep cost three and a half times the national average and a cost per patient treated six times higher than average.

VA advisers concede that some of these hospitals are closer to the homes of some veterans than the new, modern medical centers which would replace them. But they ask: "When you need medical care, would you rather have quality or convenience?"

The answer is that veterans could get more of both if the politicians would only let them.

I would be the first to concede that the Veterans' Administration hospital at Sunmount, N.Y., should be closed if the facts relating to that splendid facility were as reported in the News editorial. Assuming that the Sunmount VA hospital is the hypothetical business referred to in the article, I am constrained to point out that the cost per day to operate the hospital at Sunmount, N.Y., is $29.01. The national average for similar Veterans' Administration hospitals is $29.43. Patients presently served by the Sunmount hospital will be forced to obtain their medical care and treatment in hospitals more than 150 miles away. Three hospitals have been designated to receive future patients who would have been formerly served at the Sunmount facility. Two of these have a per diem cost in excess of the per diem cost at Sunmount. The average of the three is $30.64.

By any stretch of the imagination, could this be termed "less costly" to the Government or "more convenient" to the veteran population? The editorial erroneously cites as fact the allegation that "nearly half of Sunmount's patients come from more than 200 miles away. Recruiting of professional staff is difficult. Patients in need of highly skilled treatment must be transferred elsewhere." The fact is that more than 85 percent of the Sunmount admissions are from the 10-county area which the Veterans' Administration central office has designated as the Sunmount service area. None of these counties are 200 miles from Sunmount. During 1964, there were 1,304 new admissions to this hospital and only 71 of these were transferred from some other VA hospitals.

At the present time there is only one vacancy on the hospital staff, that of a psychiatrist. The hospital, however, has the services of four consultant psychiatrists. During the past 4 years, 20 applications for professional staff positions at Sunmount have been rejected because there was no vacancy on the staff.

Of the 1,304 admissions during 1964, only 47 were transferred to other hospitals, and 4 of these were for personal reasons. The remainder required cobalt therapy, open-heart surgery and similar unusual medical procedures which are not normally available in the average hospital.

Perhaps the Washington Daily News should look with its jaundiced eye at the other side of the ledger and question the propriety of abandoning this splendid multimillion-dollar plant which was completely renovated and modernized since 1952 at a cost of between $2½ and $3 million. Perhaps the News should take another look at the economy involved in the closing of a hospital which has been evaluated in the words of the chief engineer as follows:

The present condition of buildings, both structurally and in regard to overall condition, is considered to be equivalent to installations not over 15 years old.

Perhaps the Washington Daily News should examine the inconsistencies in the policy of the present administration which, on the one hand, creates a poverty stricken area by closing this VA hospital and depriving the community of 45 percent of its total income from wages, while, on the other hand, asks the Congress to provide relief for poverty stricken areas.

The News editorial asks: "When you need medical care, would you rather have quality or convenience?" I submit, Mr. Speaker, that the men who suffered or were wounded on the farflung battlefields of the world protecting our national security, deserve both quality and convenience with respect to medical care. If it takes "howls of wrath from Members of Congress" to get both quality and convenience of medical care, then I shall be howling the loudest.

American Policy Toward South Africa

EXTENSION OF REMARKS

OF

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1965

Mr. BINGHAM. Mr. Speaker, on Monday, March 22, 1965, our very able colleague, the gentleman from Minnesota, Representative DONALD M. FRASER, delivered an impressive address on "American Policy Toward South Africa" before the National Conference on South African Crisis and American Action, at the Willard Hotel, Washington, D.C.

In my judgment, this address by a distinguished member of the Foreign Affairs Committee—who also serves as chairman of the Task Force on Foreign Policy of the Democratic Study Group—deserves the careful study of the Members of the Congress and other readers of the CONGRESSIONAL RECORD. It constitutes a compelling statement of the need for more vigorous action by the United States to bring about a change in the abhorrent apartheid policies of the Government of South Africa.

As a member of the U.S. delegation to the United Nations for 3 years, I am acutely aware of the importance of this problem. The image of our country throughout Africa, and our influence in that continent, would be greatly enhanced by the type of action Representative FRASER has proposed.

The following is the text of Mr. FRASER's address:

AMERICAN POLICY TOWARD SOUTH AFRICA

Mr. Chairman, distinguished guests, ladies, and gentlemen, no responsible citizen of this country can ignore what is happening in South Africa. Actions taken by the Government of South Africa challenge our conscience and call into question our leadership among Western nations. Every thoughtful person is on his own in attempting to plot our policies toward South Africa. For many of us, the simple fact of brutal racial discrimination which is the order of the day in South Africa should be enough to fix our policy. The denial of personal and political rights on the basis of the color of a man's skin is repugnant to our sense of decency. Any nation which as a matter of national policy sets apart people on the basis of race or creed and destroys their political and personal rights should be roundly condemned by every civilized nation.

This condemnation in words should be followed by action designed to make the disapproval effective within the limit of our capacity to do so. In a world in which men and women possess every hue and color of skin, it is unbelievable that such ugly discrimination can be left unchecked without reaping a grim harvest.

UNITED STATES CONDEMNS APARTHEID POLICY OF SOUTH AFRICA

The United States today does condemn the policies of apartheid in South Africa. The views expressed by the United States in the United Nations and in our bilateral relations with South Africa spring from a genuine feeling of dismay and moral indignation on the part of our Government. There is nothing hypocritical in our current policy.

But we need not establish hypocrisy before pressing on to the next question. Are we doing all that we can to change the policies of the South African Government?

The answer is that we are not.

It is true that we banned the sale of military equipment to South Africa in August of 1963 and that we joined in a U.N. resolution in December of that year calling upon all nations to cease the sale and shipment of equipment and materials for the manufacture and maintenance of arms and ammunition in South Africa. This measure has little effect upon South Africa.

In the meantime U.S. investments in South Africa have continued to grow. Moral condemnation alone seems to have had as little effect in South Africa as in the hard-core areas of racial discrimination in the southern part of the United States. It is entirely possible for the South African Government to conclude that U.S. denunciation of her apartheid policies is for the ears of others and that our real attitudes are reflected in our willingness to continue doing business as usual with her.

We need to adopt tougher policies toward South Africa. This is the conclusion which is shared by those Americans most knowledgeable about the realities of life in South Africa today.

Before we discuss what these policies should be, I want to answer several arguments offered by critics of a tougher policy.

SHOULD WE INTERFERE?

Some argue that we have no right to interfere in the affairs of another nation. If this principle has validity, it stems solely from expediency. It may be prudent at times to accept a policy of noninterference where an opposite policy would be, to coin a phrase, "counterproductive."

But the hard realities of the world today have left us with no choice. We are involved in the affairs of virtually every nation on earth, whether through our aid programs, our policy of containment, the activities of the USIA or even the CIA. We are not and cannot be an island unto ourselves.

The hollowness of the noninterference doctrine is illustrated by asking whether or not there is a man or woman today willing to sit idly by if the mass murder of Jews by the

Nazis were to be reenacted. Of course, it is an entirely different question to ask, in what way a nation should interfere in the affairs of another nation.

SOUTH AFRICA IS AN ALLY

Next it is claimed that South Africa is pro-Western, anti-Communist and occupies a strategic location. The critics argue that our primary interest is survival in the deadly cold-war struggle and this is no time to jettison an ally such as South Africa. Moreover, we have space-tracking installations in South Africa important to our space ventures.

South Africa has been an ally of the West. We welcomed her contribution to the Korean war and her support of Western policies in joint defense and in the U.N. We do not seek to destroy these relationships.

We seek only to induce the Government of South Africa to abandon her policies of apartheid from which flow discrimination, segregation, and repression. Nevertheless a tougher policy toward South Africa may cause her to turn away from the West. We must, therefore, take a hard look at this possibility.

If we take the cold war as our frame of reference, the balance sheet on South Africa contains both liabilities and assets. Set against the strategic value she offers as an ally are the liabilities which flow from her policies. As Communist China seeks an increasing role in Africa, the racial policies of South Africa are tailor made for her benefit. Moreover, the longer that South Africa follows her current racial policies the more violent the inevitable explosion and the less likely that there will remain a country with Western orientation.

The strategic value offered by a friendly South Africa is real, but is of importance only under certain limited circumstances such as the closing of the Suez Canal. The ultimate resolution of the East-West struggle is unlikely to flow from any set of circumstances in which this strategic value of South Africa plays a significant role.

In a way, the cold war argument in favor of South Africa and the counter argument of Communist exploitation of South African policies deserve each other. That South Africa is a liability to the West does not serve to justify a tougher line on our part. Her policies are wrong, dead wrong. They are morally repulsive to civilized man. The Communists are exploiting this issue just as they exploit every issue which gives rise to grievances.

But our interest in changing her policies are not bottomed on Communist exploitation. They are bottomed on the fundamental moral issues involved. It is unthinkable that we should condone through inaction the policies of South Africa because of the cold war. Such inaction would represent a moral paralysis destructive of our capacity to lead in the years ahead.

REPRESSION NOT LIMITED TO SOUTH AFRICA

Finally it is argued that suppression of the rights of people is not confined to South Africa. Brutal repression marks the fate of many people all around the world. The Soviet suppression of the Hungarian revolt in the midfifties is a for instance.

We stood by wringing our hands and passing resolutions in the United Nations condemning the Soviet Union much as we have done toward the apartheid policies of South Africa. Why, it is asked, do we now single out South Africa for a tougher policy while millions of people are enslaved today under totalitarian rules around the globe?

Because we cannot cure all the evils of the world at once is no reason to refuse to act where we may have the capacity to act effectively.

Moreover, I believe that in general and within the limitations of the real world we are doing what we can to improve the political and economic status of people everywhere. It is a fundamental premise of American foreign policy that democratic societies pose the least threat to our security. We nudge along and encourage the development of such societies. True, we may not always go about it skillfully.

I am prepared, however, to defend this version of American policy at length and with tenacity. By and large we are forced to deal with nations as we find them—but always seeking to moderate their unfortunate policies and stimulating the evolution of more open societies. Thus, we encourage diversity within the Soviet bloc, and we look for ways through which their police states may be modified.

WHAT CAN WE DO FOR OPPRESSED PEOPLE ELSEWHERE?

Is there more we can do to restore freedom to oppressed peoples in these countries? The use of armed forces seems out of the question.

Would economic sanctions be effective? We have employed these against most bloc nations, and offer the inducement of lessened sanctions as bloc nations demonstrate independence of Soviet control. In both Vietnam and Cuba we are using even more drastic measures, albeit wih uncertain results.

Generally speaking the same philosophy has guided our dealings with totalitarian nations on the right, such as Spain, Portugal and some of the Latin American nations. We seek economic advancement for their people. We believe that over the long pull in every society forces exist which tend to expand political and personal freedom. Doubtless our priorities are affected by the cold war, but immediate survival has always demanded first attention.

In South Africa unusual circumstances prevail. A democratic society does exist in South Africa for Europeans. But the majority in that nation are wholly excluded from participation on the basis of their color. Once a society embarks on racial policies born of fear, the future looks hopeless as the inevitable tensions grow deeper, suspicion mounts and violence becomes more probable.

PEACEFUL CHANGE IN A DEMOCRACY REQUIRES PARTICIPATION

Our faith in a democratic society stems in part from its capacity to accommodate peaceful change. For this system to work, those whose interests require action on the part of their government must be able to exercise their political rights to get this action. In the United States it can be argued with some force that the existence of large numbers of Negro voters in the North played a decisive role in bringing about a positive, rather than a negative result as Negro citizens in the South finally took matters into their own hands and met violence in Birmingham.

Where will this ameliorating influence come from in a country which not only deprives its non-European citizens of any effective voice in government, but where the official, formal position of the government itself favors the complete denial of these rights? Without external pressure comparable to the pressure which the North brought upon the South in the United States, there is little hope in South Africa for the non-Europeans.

In short, our foreign policy recognizes that the forceful imposition of democratic concepts on other nations is extremely difficult, and we must rely a good deal on the gradual evolution of democratic ways as they emerge from experiences within each society, much as our heritage of democratic values developed on the British Isles painfully and over many centuries.

In South Africa the Europeans for the most part adhere to these democratic concepts for themselves, but they deny them completely to others on the basis of racial differences. Thus, there is little hope that with the passage of time the racial policies of that government will be corrected.

Every indication today bears out the impression of many observers that South Africa is headed for an increasing degree of police state repression toward the non-European majority. Unless this trend is reversed the world as well as South Africa will pay heavily.

NEW POLICIES TOWARD SOUTH AFRICA

What policies should we adopt toward South Africa beyond those we have today? I do not believe that we should break off diplomatic relations with South Africa nor does expulsion from the United Nations have much to offer. Some hope that increased contact and exchange of persons may bear fruit. I believe this course should be followed so long as South Africa is agreeable. Such policies, however, are unlikely to be enough.

RESTRICT INVESTMENT AND TRADE

I believe we must consider adopting unilaterally or in concert with other nations measures such as restraints on investment in South Africa, curtailment of trade and embargoes. It is my view that such measures should be gradually enlarged over a period of time until South Africa changes her racial policies.

I turn back for a moment to the critics. Some will argue that such policies will not be effective because compliance by every nation with such restrictions and embargoes cannot be enforced. To illustrate this point they cite the heavy dependence of Great Britain upon trade with South Africa.

We won't know how effective a multilateral effort will be until we begin working out the details of such efforts. Willingness on the part of the United States to pursue such measures would represent an enormous step forward.

U.S. SHOULD ACT UNILATERALLY IF NECESSARY

But assume for a moment that we could not get the British to join us, or that even if they did there were still too many leaks. Should this deter us from acting? My answer is emphatically, no.

Our efforts to isolate Cuba were not conditioned upon worldwide compliance. We are equally free to bring pressure to bear on South Africa through various restraints initiated by the U.S. Government alone. It must be remembered that unlike Cuba, we are not seeking to destroy the Government of South Africa. We seek only to change her policies toward non-Europeans. We honestly and deeply believe this to be in her own interest.

But could even unilateral action by the United States bring about this result? Today the policy of apartheid appears to most South Africans to coincide with their economic interests. The substandard, discriminatory wages paid to non-Europeans represent a substantial economic benefit to the Europeans who gain the benefit of this labor at such low cost.

The history of discrimination, however, shows that when economic considerations clearly conflict with racial discrimination, racial discrimination begins to give way. This has been seen repeatedly in the United States.

Action by the United States to interrupt normal trade and commercial relations with South Africa would bring economic pressure on South Africa. An uneconomic consequence of their apartheid policy would be demonstrated. It will be even more persuasive, of course, as we succeed in winning broader support of these policies.

It is said that such action by the United States and other Western nations will only serve to harden the attitudes of the national party now in power as they exploit this unwarranted interference in their internal af-

fairs from the outside world. No one can say with certainty what may follow from a substantial interruption of South Africa's commerce with other nations.

There are adequate reasons to believe that this pressure may provide the many Europeans in South Africa who today disagree with apartheid policy a more substantial basis on which to appeal for a change in that policy. Whatever happens, however, is surely to be less drastic than the final day of reckoning which will follow if no action is taken now. The longer South Africa travels down the road toward that final day of reckoning, the less chance that a society will emerge in which all can live together in peace.

INTERNATIONAL COURT OF JUSTICE, U.N. MAY ACT

It will not be long before the United States will have to make some hard choices about our policy toward South Africa. The International Court of Justice is likely to rule soon upon the question of whether or not South Africa has properly carried out her mandate over southwest Africa. Special committees of the United Nations have studied measures which may be taken against South Africa.

Action may come in the Security Council of the United Nations. Under section 5 of the U.N. Participation Act of 1945 the President may prohibit economic relations between the United States and any other country whenever the United States is called upon by the Council to give effect to its decision. To demonstrate our concern and our intentions, we should begin now to plan how best to effectuate the decision of the World Court if it should rule against South Africa, and how best to carry forward our determination that apartheid in South Africa must come to an end.

The actions which South Africa must take to end policies based upon racial discrimination, as Ambassador Stevenson has pointed out, must be worked out by responsible persons within South Africa.

WE MUST HELP SOUTH AFRICA MAKE RIGHT DECISIONS

We seek to create an environment in which the right decisions will be made.

We are a powerful nation. We want to employ that power for the advancement of mankind. The moral quality of our leadership is being sorely tested. Let us not falter. When the choices are difficult, we should follow that old and reliable maxim, "When in doubt, let us do what is right." Men everywhere will be grateful to us if we will do what is right.

Byelorussian Independence Day

EXTENSION OF REMARKS
OF
HON. HUGH L. CAREY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 24, 1965

Mr. CAREY. Mr. Speaker, all lovers of freedom everywhere are in wholehearted sympathy with the unhappy Byelorussian people. These dauntless and daring souls regained their independence 47 years ago, but soon they were overwhelmed by the Red army of the Soviet and lost their freedom. The Government and the people of this country are painfully aware of the sad plight of the Byelorussian people since then. And it is sad to say that we have not been able to help them in any effective way, but it is heartening to see that the issue of Byelorussian freedom is kept alive through the efforts of Byelorussian-American Congress. I wish the congress success in all their worthy endeavors on the 47th anniversary celebration of Byelorussian Independence Day.

Legislation To Save Passenger Train Service

EXTENSION OF REMARKS
OF
HON. THADDEUS J. DULSKI
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 24, 1965

Mr. DULSKI. I rise in support for my bill, H.R. 6471, which I introduced last March 18, 1965, which would amend section 13(a) of the Interstate Commerce Act with respect to the discontinuance or curtailment of passenger train operations or ferry services. I sincerely believe that the prompt enactment of this legislation is essential to save passenger train service in this Nation. Moreover, I am convinced that we simply must save railroad passenger services, and improve and expand them, unless our Nation is to have a completely congested highway system, and even dangerously overpacked airspace, only a decade or so hence.

The section of the Interstate Commerce Act which my bill would amend was enacted hastily in the closing days of the 2d session of the 85th Congress as part of the Transportation Act of 1958. This measure was regarded as emergency legislation intended to save the railroads from the alleged bankruptcy their spokesman had assured us was then facing the industry. Since that time, however, the railroads, instead of declining, have enjoyed some of the most profitable years in their history, but their higher profits, instead of bringing improved service to the general public as the Congress had the right to expect would be the case in exchange for the substantial aid it voted, have been accompanied with widespread service cutbacks and the discontinuance and downgrading of literally hundreds of passenger trains.

Section 13(a) under which the great decline in passenger train operations has taken place, has been characterized by one Federal court of appeals judge as a "strange, dismaying law—concerning which—one thing is certain; namely, that the public was ignored in—its—formulation." The first Federal court which considered this legislation not only found that it was a direct delegation to the railroad industry of authority to discontinue interstate passenger train services, but also that it was a clear invitation for such action.

The legislative history of section 13a, in my opinion, makes clear that Congress never intended by its action to enact legislation which would encourage the destruction of the passenger train. Rather, the whole purpose of the Transportation Act of 1958—which also contained many other provisions of great help to the railroad industry—was to do all that then seemed feasible to save, not destroy, railroad transportation in this country. Section 13a was enacted to provide a means of relief for those railroads which claimed that they had been unfairly treated by the denial of State railroad commissions of permission to abandon passenger services on which they allegedly were suffering heavy losses. The section was intended only to provide a means for the discontinuance of trains for which there was obviously no longer a need, and the record makes clear that Congress did not have in mind the abandonment of well-patronized and profitable trains like some of those which have been discontinued by the railroads under this provision.

Since the passage of this legislation, the railroads have discontinued literally hundreds of trains through the application of section 13a, whether justified or not. Experience has shown that the interests of the general public in passenger train services have not been adequately protected in these discontinuances. Many have been abandoned without even the holding of a public hearing, and when such hearings have been held, the burden of proof that continuance of the train would not be an undue burden on interstate commerce has fallen upon the protesting public, which simply does not have access to the financial and other information needed to prepare an adequate case. Moreover, the present law is unfair in that it denies the public the right of appeal to the courts while at the same time granting this right to the railroads.

Section 13(a) is so loosely written that it actually permits the railroads, on their own initiative, to discontinue any passenger train, including those on which they are making a profit, by the mere posting of a notice. Unless the carrier files an application and unless the Interstate Commerce Commission intervenes, that train is automatically eliminated. The present law also places further unfair restrictions on the public and the ICC by requiring the Commission to render a final order in each case within 4 months of the original discontinuance date set by the railroads or else the operation of the interstate train or trains ceases automatically. This arbitrary and unreasonable time limitation deprives the public of adequate time to prepare its case and has required the Commission to shortcut its customary and well-established administrative procedures. Finally, even though the ICC may order a railroad to continue the operation of a train or trains for a period of 1 year, it completely lacks authority over the quality of the service provided during this period. The result is that railroads can, and have, deliberately cut back the service on such trains, through such actions as eliminating mail, dining cars, parlor and lounge cars, and sleeping accommodations, so that customers are driven away and the railroads can show greater losses on the trains when they

again announce their intent to abandon them a year later.

My bill, H.R. 6471, is intended to reverse this process and put the burden of proof upon the carrier's applicants where it belongs. Under this proposed legislation, carriers seeking to discontinue or change interstate passenger services would be required to apply to the Interstate Commerce Commission for authorization. The Commission would be required to hold public hearings and would be required to notify the Governors of the States at least 30 days in advance of such hearings. Before service could be discontinued or reduced, the Commission would be required to issue a certificate of findings that, first, public convenience and necessity require the change, in whole or in part, and that second, to continue the train or ferry operations without change would "constitute an unjust and undue burden upon the interstate operations" involved. The Commission also would be given authority to attach its own requirements as to the conditions, or terms, it finds needed for public convenience and necessity, including conditions for the protection of the interests of the employees adversely affected which are customarily imposed in other railroad abandonments. Provision also would be made for enjoining and punishing any railroad undertaking to make changes in service without compliance with the certification and hearing procedures.

Surely these amendments to section 13a are clearly in the public interest. They will put the burden of proof that passenger trains no longer are needed upon the carriers, where it properly belongs, but at the same time they will carry out the true intent of the Congress when it enacted section 13a by preserving a means whereby the carriers may circumvent grossly unfair decisions by the State commissions. The effect will be to give the Interstate Commerce Commission the power it now lacks but greatly needs to make certain that action to discontinue or change passenger train service is only taken in the public interest, and with the future and present needs of our Nation for such services clearly in mind.

Conservation Retrenchment Would Endanger the Nation

EXTENSION OF REMARKS

OF

HON. HAROLD D. COOLEY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1965

Mr. COOLEY. Mr. Speaker, in this Nation's struggle from the depths of the great depression our Government entered a partnership with our farmers—a compact, if you please—to conserve and rehabilitate and rebuild America's greatest resource—the soil—which was washing, blowing, eroding, and wasting away because our farmers were too poor to forestall or to check this tragic loss to our Nation.

April 27, 1965, will mark the 30th anniversary of the enactment by the Congress of an historic piece of legislation, Public Law 46, which declared soil and water conservation to be a national policy and created the Soil Conservation Service to give leadership to such a program.

Over the years, Mr. Speaker, this program has wrought miracles, to assure us today and the generations to come that the land will feed us and bless us, abundantly.

Our farmers embraced the conservation movement with amazing enthusiasm and eagerness. They have invested millions and billions of their own money, as their incomes would permit it, in works of soil and water improvement on their own farms. They have written for America a food insurance policy that will protect all Americans down through the years.

The money our Federal Government has expended on conservation, in cooperation with farmers, is the best investment this country has ever made.

In the light of all this, Mr. Speaker, it is a shocking development of our time that the administration now is proposing that the Government retreat, or withdraw, from its full participation and leadership in the conservation movement, and burden our farmers, who already are hard pressed, with larger costs for the protection of our most basic resources, a work which properly is the responsibility of all of us in towns and cities as well as upon our farms.

Mr. Speaker, I was a Member of the Congress, the 74th, which passed the historymaking Conservation Act, without a dissenting vote, 30 years ago.

The Soil Conservation Service began its work on a demonstration basis under the direction of that great North Carolina conservationist—the father of soil conservation in America—the late Hugh Bennett.

So favorably was this program received that by June 30, 1936, the Soil Conservation Service had in operation 147 demonstration projects, averaging 25,000 to 30,000 acres each, 48 soil conservation nurseries for the development and production of new plants, 23 research stations, and 454 Civilian Conservation Corps camps. About 50,000 farmers had applied conservation measures to about 5 million acres. Thousands more sought the opportunity to participate in the program.

Experience had shown that this work would be more successful if locally managed and locally controlled—if the people themselves formulated their own programs and carried them out with Federal technical and other assistance.

Out of this came the idea of the local soil conservation district—now generally known as soil and water conservation districts—organized by the local people under State laws. Out of this came the unique partnership, entirely new in our history, wherein the Soil Conservation Service, a Federal technical agency created by the Congress, offered its assistance through these local districts in compliance with local needs and wishes, in conformity with State law, and in cooperation with local and State agencies and organizations.

In February 1937 President Franklin D. Roosevelt submitted to the Governors of all States a proposed State enabling act authorizing the formation of soil conservation districts specifically for soil and water conservation. Legislatures of 22 States passed such laws that year.

The first soil conservation district in the world was chartered August 4, 1937. I am proud to say it was in my home State—the Brown Creek Soil Conservation District in Anson County, N.C.

The Congress, beginning in 1937, fully endorsed the principles of this new movement by earmarking funds to provide the technical assistance of the Soil Conservation Service to the local people through soil conservation districts.

Since then the Congress has annually restated its views and its position on this great Federal-State-local cooperative undertaking by appropriating funds for this purpose on an expanding basis as the organization of districts swept across the country and the needs for technical and other assistance increased.

The Congress has strengthened this work also by creating new programs as needed. Notable among these are the Watershed Protection and Flood Prevention Act, aimed at corrective action in our long-neglected small upstream watersheds where more than half of our annual flood damage occurs and most of our water problems originate. Another is the Great Plains conservation program, first of its kind tailored to a great region of this land—a region having problems peculiar to its climatic and soil conditions—problems that can be solved only by a long-term approach.

Another is resource conservation and development projects, a new pilot program in 10 representative areas where an intensive effort will be made to accelerate the development of natural resources as the base for raising the economic level of the people, both rural and urban.

These and other advances in our national soil and water conservation program have stemmed from the experiences of people working together in soil conservation districts.

And, as the program has grown, it has come to be more meaningful to the people of the towns and cities as well as to the owners and operators of our vast farm and ranch lands. Urban people have always had a stake in this program, and they have supported it for 3 decades, but today they are participating in it more fully and deriving more direct benefits than in the early days of the program. The small watershed program is a good example of equal town-country cooperation and equal direct benefits. So too, is the growing trend toward income-producing recreation activities on private lands, and recreation projects growing up around watershed project reservoirs that are creating a substantial source of income in hundreds of American communities.

Mr. Speaker, our national soil and water conservation program has come a long way in these 30 years. Today nearly

3,000 local soil and water conservation districts cover more than 1.7 billion acres of land. These districts have nearly 2 million cooperators operating 648 million acres of land. They have applied 40 million acres of contour farming, nearly 20 million acres of stripcropping, 1.2 million miles of terracing. They have planted 11.3 million acres of trees and have built 1.3 million ponds.

Out of the total of 569 watershed projects approved for Federal assistance, nearly 400 had entered the construction stage in fiscal year 1964. Soil surveys have been made on 822 million acres. More than 16,000 Great Plains landowners and operators were drought-proofing 33.8 million acres of land under the Great Plains conservation program. Those are just a sampling of accomplishments.

These are accomplishments for all the people, for our land and water resource is the base of our economy, the foundation of our American way of life.

Despite these advances, we who have followed this program closely for the past three decades, know that soil erosion is still the dominant conservation problem on the non-Federal rural land of this country. Two-thirds of our land still needs conservation treatment of some kind. Conservation problems are inadequately treated on 62 percent of the cropland, 73 percent of non-Federal pasture and range, and 55 percent of non-Federal forest and woodland.

Mr. Speaker, I have recounted this brief history of the development of our national soil and water conservation program and some of its accomplishments because I am sorely troubled by the administration proposal for retrenchment in the Government's participation in the conservation movement.

I refer to the proposal in the President's budget message to reduce the item for technical assistance in the Soil Conservation Service appropriation by $20 million, and to establish a public revolving fund into which recipients of services would be required to pay 50 percent of the cost of such assistance. I am told this proposal originated in the Office of Budget Director Kermit Gordon, whose views on agriculture I have discussed previously in the House.

Mr. Speaker, adoption of this proposal would deliver a crippling blow to conservation in this country. It would do the program great harm. It could destroy it.

This proposal came like a bolt out of the blue. No study was made of its possible impact. No one familiar with the inner workings of this great program was consulted.

If any were, the chairman of the House Committee on Agriculture was not one of them. On examination, one must conclude that this proposal originated with a Budget Bureau official who did not have the background to think it through. And perhaps it was put into motion by people who should know better but are willing to cripple existing essential programs in order to provide more money for new Government ventures such as the Appalachia program.

Mr. Speaker, if anyone would set out to create poverty in this Nation, I know of no surer way to do it, in the long run, than to stifle or discourage the conservation of our basic and vital resources.

I ask, Mr. Speaker, is it possible that the Director of the Budget and those high in the administration who follow his leadership are totally unaware of the histories of fallen civilizations down through the ages? Those civilizations withered and vanished when the rich soil that sustained and nourished them was eroded, wasted, and washed into the seas. I appeal to the Budget Director and to his followers to familiarize themselves with this doom that has befallen nations and peoples in centuries past.

Mr. Speaker, those of us who have worked closely with the conservation program for many years believe the immediate effect of the Budget Bureau proposal would be to reduce the establishment of soil and water conservation work by 50 percent.

It would have the further effect, once the Federal Government abandons its traditional position in this cooperative undertaking, of decreasing State and local government contributions, thus further crippling the program.

I am told that the $20 million reduction in funds for technical application assistance would reduce farm ponds by 30,000, terraces by 2,700 miles, earth moving of all types by 350 million cubic yards.

It would reduce sales to soil conservation district cooperators and contractors serving them of concrete by 200,000 cubic yards, concrete pipe by 6,670,000 feet, corrugated metal by 1,635,000 feet, steel pipe by 870,000 feet, asbestos-cement pipe by 1,300,000 feet, aluminum pipe by 5,370,000 feet, water pipe by 3,130,000 feet, tile by 75 million feet.

It would reduce contracting for water conservation and control conservation practices by $160 million. It would eliminate an estimated net profit of $14 million, thus forcing many small contractors into bankruptcy. It would eliminate 15,000 equipment operating and servicing jobs paying an average of $3,500 annually, a total of $52,500,000. It would cut the purchase of heavy equipment by contractors by 700 to 1,200 units—also light equipment purchases—totaling $20 to $30 million per year.

It would reduce by about 50 percent or 5 million acres the land seeded annually to grass, legumes, and grass-legume mixtures. This would cut sales of grass and legume seed by 60 million pounds annually, and cut sales of fertilizers for establishing grass and legume stands by 1 million tons annually.

The proposed cut would reduce by about 50 percent or 250,000 acres the land annually planted or seeded to trees and leave State and local agencies and private nurseries with a surplus of 250 million seedlings.

Mr. Speaker, the impact, as I have shown, would spread far beyond the landowners whom we would deprive of the conservation technical services they have been receiving. It would wreak havoc among various business segments of our society. The relatively small amounts the Federal Government puts into conservation are returned manifold to the public in the form of increased earnings and profits, and to the Federal Treasury in the form of greatly increased income taxes.

Mr. Speaker, the proposal of the administration that the Government retreat from its participation and leadership in the conservation movement is not in the national interest. It is dangerous to this Nation. It has stirred a clamor throughout the country of such proportions as to convince any reasonable man that the people insist that our basic and most precious resources be preserved, and that our Government shall measure up to its responsibility and shall not shirk, or languish or flag in these undertakings that insure the future of this Nation.

Therefore, Mr. Speaker, I here urge the administration to disavow any interest in any proposition that will cripple or destroy the conservation movement.

I think, Mr. Speaker, the Members of this body may with full confidence assure their constituents that if this matter is pressed it will go down to resounding defeat in the Congress, and that the Congress will reaffirm the stand it took 30 years ago—that conservation is a national policy and the Federal Government has a responsibility of participation and leadership in protecting and building our vital and basic national resources.

Attorney General Testifies on Voting Rights Bill

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 24, 1965

Mr. CELLER. Mr. Speaker, I insert in the RECORD the statement by Attorney General Nicholas deB. Katzenbach before Subcommittee No. 5 of the House Judiciary Committee on the proposed Voting Rights Act of 1965, on Thursday, March 18, 1965.

The statement follows:

In our system of government, there is no right more central and no right more precious than the right to vote.

From our early history, the free and secret ballot has been the foundation of America. This Congress stands as imposing evidence of that truth. And, if we have needed reminding, Presidents in every generation have repeated that truth.

In a message to the 36th Congress, in 1860, President Buchanan observed that: "The ballot box is the surest arbiter of disputes among freemen."

In a message to the 51st Congress, in 1890, President Benjamin Harrison said: "If any intelligent and loyal company of American citizens were required to catalog the essential human conditions of national life, I do not doubt that with absolute unanimity they would begin with 'free and honest elections.' "

In a message to the 66th Congress, in 1919, President Wilson said: "The instrument of all reform in America is the ballot."

In a message to the 88th Congress, just 2 years ago, President Kennedy said: "The right to vote in a free American election is the most powerful and precious right in the world—and it must not be denied on the grounds of race or color. It is a potent key to achieving other rights of citizenship."

And yet, just 3 days ago, it remained necessary for President Johnson, in an eloquent message to this Congress, to say:

"Many of the issues of civil rights are complex and difficult. But about this there can be no argument. Every American citizen must have an equal right to vote. There is no reason which can excuse the denial of that right. There is no duty which weighs more heavily on us than the duty to insure that right."

The President called on the Congress and on the American people to meet that duty with the fullest power of heart, mind, and law. I appear before you today to support that commitment and to tell you in detail why this administration believes the proposed Voting Rights Act of 1965 to be sound, effective, and essential.

I. DENIALS OF THE PAST

The promise of a new life for Negro Americans was first expressed in the 13th, 14th, and 15th amendments to the Constitution. The promise of freedom for the slaves was kept; the promises of equal protection and the right to vote without racial discrimination are yet, a century later, still empty.

Soon after the adoption of the Civil War amendments, Congress did indeed enact a number of implementing laws. Promptly after the ratification of the 15th amendment, the Enforcement Act of May 31, 1870, was passed, declaring the right of all citizens to vote without racial discrimination. Under the 1870 law, officials were required to give all citizens the same, equal opportunity to perform any act prerequisite to voting. Violation and interference were made criminal offenses.

In 1871, another law was passed to protect Negro voting rights. It made it a crime to prevent anyone from voting by threats or intimidation, and established a system of Federal supervisors of elections.

But these protections were neither adequately enforced, nor of long duration. Attempts to strengthen the legislation, occasioned by rising Negro disenfranchisement in the South, were unsuccessful. Congressional debates reflect the fear of disturbing the status quo of white supremacy. In 1894, most of the legislation dealing with the right to vote was repealed.

Meanwhile, some States had been busy enacting legislation to disenfranchise the Negro. They adopted a variety of devices, with no effort to disguise their real purpose—disenfranchisement of the Negro.

Whites unable to meet the new requirements were protected by the so-called "grandfather clause"—which could not possibly have applied to a Negro newly freed from slavery. The Supreme Court struck down the grandfather clause in 1915, but discrimination and disenfranchisement continued. The Negro's theoretical right to vote was successfully thwarted by intimidation and fear of reprisal. The white primary long served to disenfranchise Negroes, until declared unconstitutional in 1944. During this long period America almost forgot—and certainly ignored—its commitment to voting equality.

Beginning with President Truman's 1948 recommendation to Congress, based on the report of his Committee on Civil Rights, bills to protect the right to vote were introduced in successive Congresses.

Still, action did not come until the Civil Rights Act of 1957. That act authorizes the Attorney General to bring suits to correct discrimination in State and Federal elections, as well as intimidation of potential voters.

The Civil Rights Act of 1960 sought to make such lawsuits easier. It amended the 1957 act to permit the Attorney General to inspect registration records and to permit Negroes rejected by State registration officials to apply to a Federal court or a voting referee.

The Civil Rights Act of 1964 sought to make voting rights suits faster. It amended the 1960 act to expedite cases, to facilitate proof of discrimination, and to require nondiscriminatory standards.

What has been the effect of these statutes? It is easy to measure. In Alabama, the number of Negroes registered to vote has increased by 5.2 percent between 1958 and 1964—to a total of 19.4 percent of those eligible. This compares with 69.2 percent of the eligible whites.

In Mississippi, the number of Negroes registered to vote has increased at an even slower rate. In 1954, about 4.4 percent of the eligible Negroes were registered; today, we estimate the figure at about 6.4 percent. Meanwhile, in areas for which we have statistics, the comparable figure for whites is that 80.5 percent of those eligible are registered.

And in Louisiana, Negro registration has not increased at all, or if at all, imperceptibly. In 1956, 31.7 percent of the eligible Negroes were registered. As of January 1, 1965, the figure was 31.8 percent. The white percentage, meanwhile, is 80.2 percent.

The lesson is plain. The three present statutes have had only minimal effect. They have been too slow.

Thus, we have come to Congress 3 times in the past 8 years to ask for legislation to fulfill the promise our country made in the 15th amendment 95 years ago, the promise of the ballot.

Three times since 1956, the Congress has responded. Three times, it has adopted the alternative of litigation, of seeking solutions in our judicial system. But three times since 1956, we have seen that alternative tarnished by evasion, obstruction, delay, and disrespect.

The alternative, in short, has already been tried and found wanting. "The time of justice," the President said on Monday "has now come."

II. DENIALS OF THE PRESENT

The discouraging figures I have cited do not represent lack of will by any administration in administering the voting rights laws. These laws have been administered by four Attorneys General serving under three Presidents and representing both parties.

Nor do these figures represent any lack of energy, ability, or dedication by the lawyers of the Civil Rights Division of the Department of Justice. I believe I have never, whether in government, in private practice, or in the academic world, seen any attorneys work so hard, so well and, often, under such difficult circumstances.

What these Negro voting figures do represent is the inadequacy of the judicial process to deal effectively and expeditiously with a problem so deep seated and so complex.

My predecessors have, for a decade, given this committee example after example of how this registration process has been perverted to test not literacy, not ability, not understanding—but race. Like them, I could, today, give you numerous examples of such perversions.

I could cite numerous examples of the almost incredible amount of time our attorneys must devote to each of the 71 voting rights cases filed under the Civil Rights Acts of 1957, 1960, and 1964. It has become routine to spend as much a 6,000 man-hours alone only in analyzing the voting records in a single county—to say nothing of preparation for trial and the almost inevitable appeal.

I could cite numerous examples of how delay and evasion have made it necessary for us to gage judicial relief not in terms of months, but in terms of years. For the fact is that those who are determined to resist are able—even after apparent defeat in the courts—to devise whole new methods of discrimination. And often that means beginning the whole weary process all over again.

In short, I could cite example after example, but let me, at random, pick just one: Selma, Ala.

III. THE RIGHT TO VOTE IN DALLAS COUNTY, ALA.

The story of Negro voting rights in Dallas County, Ala., of which Selma is the seat, could—until February 4—be told in three words: intimidation, discouragement, and delay.

There has been blatant discrimination against Negroes seeking to vote in Dallas County at least since 1952. How blatant is evident from simple statistics.

In 1961, Dallas County had a voting age population of 29,515, of whom, 14,400 were white persons and 15,115 were Negroes. The number of whites registered to vote totaled 9,195—64 percent of the voting age total. The number of Negroes totaled 156—1.03 percent of the total.

Between 1954 and 1961, the number of Negroes registered had mushroomed; exactly 18 were registered in those 7 years.

If effective and prompt remedies were necessary in any county, they were necessary in Dallas County. And as a result, the first voting case filed in the Kennedy-Johnson administration was brought against Dallas County on April 13, 1961.

The case finally came to trial 13 months later. In an additional six months came the district court decision. The court decided that prior registrars had, in fact, discriminated against Negro applicants. But, the court concluded, the current board of registrars was not then discriminating and, therefore, refused to issue an injunction against discrimination by the registrars. We appealed.

On September 30, 1963, 2½ years after the suit was originally filed, the Court of Appeals for the Fifth Circuit reversed the district court and ordered it to enter an injunction against discrimination.

Nevertheless, the Department also had urged the court of appeals to direct the registrars to judge Negro applicants by the same standards that had been applied to white applicants during the long period of discrimination—until the effects of past discrimination had been dissipated. The court of appeals recognized that this type of relief might be needed in some cases, but did not order it in this case.

Our experience has shown that such relief is essential to any meaningful improvement in Negro voter registration in areas where there have been previous patterns of discrimination. Thus, after 2½ years, the first round of litigation against discrimination in Selma ended, substantially in failure.

Two months later, Department personnel inspected and photographed voter registration records at the Dallas County courthouse. These records showed that the registrars were engaged in obvious discrimination. With a topheavy majority of whites already registered, the registrars had raised standards for applicants of both races. The percentage of rejections for both white and Negro applicants for registration had more than doubled since the original trial in May 1962.

The impact, of course, was greatest on the Negroes, of whom hardly any were registered. Eighty-nine percent of the Negro applicants had been rejected between May 1962 and November 1963.

Of the 445 Negro applications rejected, 175 had been filed by Negroes with at least 12 years of education, including 21 with 16 years and 1 with a master's degree.

In addition to directly discriminatory practices, the registrars also were using one of their most effective indirect methods—delay. For example, on 11 of the 14 registration days in October 1963, 60 or more persons waited in line to register, but the average number of persons allowed to fill out forms was 36. In previous years—when the applicants were predominantly white—up to 148 applications had been processed in a single day.

For Negroes to register in Dallas County was thus extremely difficult. In February 1964, it became virtually impossible. Then, all Alabama County Boards of Registrars, including the Dallas County Board in Selma, began using a new application form. This form included a complicated literacy and knowledge-of-government test.

Since registration is permanent in Alabama, the great majority of white voters in Selma and Dallas County, already registered under previous, easier standards, did not have to pass the test. But the great majority of voting-age Negroes, unregistered, now faced still another, still higher obstacle to voting.

Under the new test, the applicant had to demonstrate his ability to spell and understand by writing individual words from the dictation of the registrar. Applicants in Selma were required to spell such difficult and technical words as "emolument," "capitation," "impeachment," "apportionment," and "despotism." The Dallas County registrars also added a refinement not required by the terms of the State-prescribed form. Applicants were required to give a satisfactory interpretation of one of the excerpts of the Constitution printed on the form.

As the result, we decided to go back to court. In March 1964, we filed a motion in Federal court initiating a second full-scale law suit against discriminatory practices in the registration process in Dallas County.

It should be noted that in September 1964, pending trial of this second law suit, Alabama registrars, including those in Dallas County, began using a second, still more difficult test.

In October 1964, our reopened Dallas County case came on for trial. We proved that between May 1962, the date of the first trial, and August 1964, 795 Negroes had applied for registration but that only 93 were accepted. During the same period, 1,232 white persons applied for registration, of whom 945 were registered. Thus, less than 12 percent of the Negro applicants but more than 75 percent of the white applicants were accepted.

Finally, on February 4, 1965—nearly 4 years after we first brought suit—the district court entered its judgment. This time, the court substantially accepted our contentions and the relief requested by the Department was granted. Specifically, the court enjoined use of the complicated literacy and knowledge-of-government tests and entered orders designed to deal with the serious problem of delay.

Whether this most recent decree will be effective only time will tell. We hope and expect it will be. But the Negroes of Dallas County have good reason to be skeptical. After 4 years of litigation, only 383 Negroes are registered to vote in Dallas County today. The recent events in Selma are indeed demonstrations—demonstrations of the fact that, understandably, the Negroes of Dallas County are tired of waiting.

The story of Selma illustrates a good deal more than voting discrimination and litigating delay. It also illustrates another obstacle, sometimes more subtle, certainly more damaging. I am talking about fear.

The Department thus has filed four separate suits against intimidation of Negro registration applicants by Sheriff James Clark and other local officials.

The first of these filed alleged that the defendants had intimidated Negroes from attempting to register by physical violence, baseless arrests, and prosecutions of Negro registration workers.

We introduced proof that Sheriff Clark had deputies present at every civil rights mass meeting in Dallas County. They took notes and license tag numbers. They harassed, arrested, and assaulted young voter registration workers. The district court found, however, that the Government had "failed in its proof" and denied injunctive relief. This decision is presently pending on appeal.

We filed a second intimidation suit in November 1963. This suit alleged that the local grand jury sought to interfere with the operation of the Civil Rights Division of the Department of Justice—and thus intimidated potential Negro voters who looked to the Department for assistance and action.

The Department of Justice introduced substantial proof in support of these allegations at the hearing, but the district court rejected this evidence and found that the grand jury had acted in good faith. This decision is also pending on appeal.

Our third Dallas County intimidation suit, also filed in November 1963, illustrates still a different level of harassment and fear. The defendants in this case, now awaiting trial, are the Dallas County Citizens' Council and its officers.

The suit alleges that they have adopted and sought to execute a program to frustrate court voting orders and to intimidate Negroes so they will not attend voter registration rallies.

We filed a startlingly overt example of this bigoted program together with our complaint. It was a full-page advertisement in the Selma Times-Journal on June 9, 1963, sponsored by the citizens' council. It was headed: "Ask Yourself This Important Question: What Have I Personally Done To Maintain Segregation?" And the text said, in part "Is it worth $4 to you to prevent sit-ins, mob marches, and wholesale Negro voter registration efforts in Selma?"

The fourth intimidation suit again was against Sheriff Clark and other local officials. It arose from events relating to voter registration and desegregation of places of public accommodation in Selma last summer. The case was tried before a three-judge district court in December 1964, and has not yet been decided.

At the trial, the Department introduced proof showing that the defendants had prosecuted, convicted, and punished Negroes discriminatorily and had issued and enforced injunctions preventing Negroes from organizing and discussing their grievances. Proof was also introduced to show that the defendants used unreasonable force against Negroes who exercised their rights and had failed to provide Negroes with ordinary police protection.

Let me be quick to point out that such intimidation is hardly limited to Dallas County; on this aspect as in others, Selma is merely a symbol. In Rankin County, Miss., three young Negro registration applicants were beaten in the registrar's office by the sheriff and his deputy. In our consequent suit, we were unable to secure relief even on appeal. The court ruled that the assault was not the result of bigotry, but of the deputy sheriff's vexation over crowded conditions in the registration office.

In Wilcox County, Ala., a Negro insurance agent became the first of his race to apply for registration in several years. Within weeks, 28 different landowners ordered him to stay off their property when he came to collect insurance premiums. To keep his job, the man had to accept a transfer and live away from his family, in a different county.

Again, we had to appeal. Today, 2 years later, the appeal is still pending.

There has been case after case of similar intimidation—beatings, arrests, lost jobs, lost credit, and other forms of pressure against Negroes who attempt to take the revolutionary step of registering to vote. And, despite our most vigorous efforts in the courts, there has been case after case of slow or ineffective relief.

We can draw only one conclusion from such instances. We can draw only one conclusion from the story of Selma. The 15th amendment expressly commanded that the right to vote should not be denied or abridged because of race. It was ratified 95 years ago. Yet, we are still forced to vindicate that right anew, in suit after suit, in county after county.

What is necessary—what is essential—is a new approach, an approach which goes beyond the tortuous, often ineffective pace of litigation. What is required is a systematic, automatic method to deal with discriminatory tests, with discriminatory testers, and with discriminatory threats.

The bill President Johnson has now sent to Congress, the bill about which he spoke so eloquently to you Monday, presents us with such a method. It would not only, like past statutes, demonstrate our good intentions. It would allows us to translate those intentions into ballots.

IV. THE PROPOSED VOTING RIGHTS ACT OF 1965

This bill applies to every kind of election, Federal, State, and local, including primaries. It is designed to deal with the two principal means of frustrating the 15th amendment: The use of onerous, vague, unfair tests and devices enacted for the purpose of disenfranchising Negroes, and the discriminatory administration of these and other kinds of registration requirements.

The bill accomplishes its objectives, first, by outlawing the use of these tests under certain circumstances, and second, by providing for registration by Federal officials where necessary to insure the fair administration of the registration system.

The tests and devices with which the bill deals include the usual literacy, understanding and interpretation tests that are easily susceptible to manipulation, as well as a variety of other repressive schemes. Experience demonstrates that the coincidence of such schemes and low electoral registration or participation is usually the result of racial discrimination in the administration of the election process. Hence, section 3(a) of the bill provides for a determination by the Attorney General whether any State, or a county separately considered, has on November 1, 1964, maintained a test or device as a qualification to vote.

In addition, the Director of the Census determines whether, in the States or counties where the Attorney General ascertains that tests or devices have been used, less than 50 percent of the residents of voting age were registered on November 1, 1964, or less than 50 percent of such persons voted in the presidential election of November 1964.

The bill provides that whenever positive determinations have been made by the Attorney General and the Director of the Census as to a State, or separately as to any county not located in such a State, no person shall be denied the right to vote in any election in such jurisdiction because of his failure to comply with a test or device. I shall present at the end of my discussion of the bill the information we have as to the areas to be affected by these determinations.

The prohibition against tests may be ended in an affected area after it has been free of racial discrimination in the election process for 10 years, as found, upon its petition, by a

three-judge court in the District of Columbia. This finding will also terminate the examiner procedure provided for in the bill.

However, the Court may not make such a finding as to any State or separate county for 10 years after the entry of a final judgment, whether entered before or after passage of the bill, determining that denials of the right to vote by reason of race or color have occurred anywhere within such jurisdiction.

Because it is now beyond the question that recalcitrance and intransigence on the part of State and local officials can defeat the operation of most unequivocal civil rights legislation, the bill, in section 4, provides that the Attorney General may cause the appointment of examiners by the Civil Service Commission to carry out registration functions in any county where tests have been suspended by determinations of the Attorney General and the Director of the Census.

This result follows when the Attorney General certifies either that he has received meritorious complaints in writing from 20 or more residents of the county alleging denial of the right to vote by reason of race or color, or that, in his judgment, the appointment of registrars is necessary to enforce the guarantees of the 15th amendment.

After the certification by the Attorney General, the Commission is required to appoint as many examiners as necessary to examine applicants in such county concerning their qualifications to vote. Any person found qualified to vote is to be placed on a list of eligible voters for transmittal to the appropriate local election officials.

Any person whose name appears on the list must be allowed to vote in any subsequent election until such officials are notified that he has been removed from the list as the result of a successful challenge, a failure to vote for 3 consecutive years, or some other legal ground for loss of eligibility to vote.

The bill provides a procedure for the challenge of persons listed by the examiners, including a hearing by an independent hearing officer and judicial review. A challenged person would be allowed to vote pending final action on the challenge.

The times, places, and procedures for application and listing, and for removal from the eligibility list, are to be prescribed by the Civil Service Commission. The Commission, after consultation with the Attorney General, will instruct examiners as to the qualifications applicants must possess. The principal qualifications will be age, citizenship, and residence, and obviously will not include those suspended by the operation of section 3.

If the State imposes a poll tax as a qualification for voting, the Federal examiner is to accept payment and remit it to the appropriate State official. State requirements for payment of cumulative poll taxes for previous years would not be recognized.

Civil injunctive remedies and criminal penalties are specified for violation of various provisions of the bill. Among these provisions is one requiring that no person, whether a State official or otherwise, shall fail or refuse to permit a person whose name appears on the examiner's list to vote, or refuse to count his ballot, or intimidate, threaten, or coerce a person for voting or attempting to vote under the act.

An individual who violates this or other prohibitions of the bill may be fined up to $5,000 or imprisoned up to 5 years, or both.

It should be noted also that a person harmed by such acts of intimidation by State officials may also sue for damages under 42 U.S.C. 1983, a statute which was enacted in 1871. That statute provides for private civil suits against State officers who subject persons to the deprivations of any rights, privileges, and immunities secured by the Constitution and laws of the United States. Private individuals who act in concert with State officers could also be sued for damages under that statute, *Baldwin* v. *Morgan*, 251 F. 2d 780 (C.A. 5, 1958).

The litigated cases amply demonstrate the inadequacies of present statutes prohibiting voter intimidation. Under present law, voter intimidation is only punishable as a misdemeanor, unless a conspiracy is involved. But perhaps the most serious inadequacy results from the practice of some district courts to require the Government to carry a very onerous burden of proof of "purpose." Since many types of intimidation, particularly economic intimidation, involve subtle forms of pressure, this treatment of the purpose requirement has rendered the statute largely ineffective.

In our view, section 7 of the bill, which prohibits intimidation of persons voting or attempting to vote under the bill represents a substantial improvement over 42 U.S.C. 1971(b). Violation of this section would be a felony and could result in the imposition of severe penalties which should prove a substantial deterrent to intimidation.

And under the language of section 7, no subjective "purpose" need be shown, in either civil or criminal proceedings, in order to prove intimidation under the proposed bill. Rather, defendants would be deemed to intend the natural consequences of their acts. This represents a deliberate and, in my judgment, constructive departure from the language and construction of 42 U.S.C. 1971(b).

The bill provides that a person on an eligibility list may allege to an examiner within 24 hours after closing of the polls in an election that he was not permitted to vote, or that his vote was not counted. The examiner, if he believes the allegation well founded, would notify the U.S. attorney, who may apply to the district court for an order enjoining certification of the results of the election.

The Court would be required to issue such an order pending a hearing. If it finds the charge to be true, the Court would provide for the casting or counting of ballots and require their inclusion in the total vote before any candidate may be deemed elected.

The examiner procedure would be terminated in any county whenever the Attorney General notifies the Civil Service Commission that all persons listed have been placed on the county's registration rolls and that there is no longer reasonable cause to believe that persons will be denied the right to vote in such county on account of race or color.

The bill also contains a provision dealing with the problem of attempts by States within its scope to change present voting qualifications. No State or county for which determinations have been made under section 3(a) will be able to enforce any law imposing qualifications or procedures for voting different from those in force on November 1, 1964, until it obtains a declaratory judgment in the District Court for the District of Columbia that such qualifications or procedures will not have the effect of denying or abridging rights guaranteed by the 15th amendment.

I turn now to the information we have regarding the impact of section 3(a). Tests and devices would—according to our best present information—be prohibited in Louisiana, Mississippi, Alabama, Georgia, South Carolina, Virginia, and Alaska, 34 counties in North Carolina, and one county in Arizona. Elsewhere, the tests and devices would remain valid, and similarly, the registration system would remain exclusively in the control of State officials.

The premise of section 3(a), as I have said, is that the coincidence of low electoral participation and the use of tests and devices results from racial discrimination in the administration of the tests and devices. That this premise is generally valid is demonstrated by the fact that of the six States in which tests and devices would be banned statewide by section 3(a), voting discrimination has unquestionably been widespread in all but South Carolina and Virginia, and other forms of racial discrimination, suggestive of voting discrimination, are general in both of those States.

The latter suggestion applies as well to North Carolina, where 34 counties are reached by section 3(a) and where, indeed, in at least one instance a Federal court has acted to correct registration practices which impeded Negro registration.

In view of the premise for section 3(a), Congress may give sufficient territorial scope to the section to provide a workable and objective system for the enforcement of the 15th amendment where it is being violated. Those jurisdictions placed within its scope which have not engaged in such violations—the States and counties affected by the formula in which it may be doubted that racial discrimination has been practiced—need only demonstrate in court that they are guiltless in order to lift the ban of section 3(a) from their registration systems.

That is, section 3(a) in reality reaches on a long-term basis only those areas where racial discrimination in voting in fact exists.

V. THE CONSTITUTIONALITY OF THE BILL

I have shown why this legislation is necessary and have explained how it would work. It remains to determine whether it is constitutional. The answer is clear: the proposal is constitutional.

Far from impinging on constitutional rights—in purpose and effect, it implements the explicit command of the 15th amendment that "the right * * * to vote shall not be denied or abridged * * * by any State on account of race [or] color." The means chosen to achieve that end are appropriate, indeed, necessary. Nothing more is required.

Let me pursue the matter a little. This is not a case where the Congress would be invoking some "inherent," but unexpressed, power. The Constitution itself expressly says, with respect to the 15th article of amendment: "The Congress shall have power to enforce this article by appropriate legislation" (amendment 15, sec. 2).

Here, then, we draw on one of the powers expressly delegated by the people and by the States to the National Legislature. In this instance, it is the power to eradicate color discrimination affecting the right to vote. Accordingly, as Chief Justice Marshall said in *Gibbons* v. *Ogden*, 9 Wheat 1, 196, with respect to another express power—the power to regulate interstate commerce—"[t]his power, like all others vested in Congress, is complete in itself, may be exercised to its utmost extent, and acknowledges no limitations, other than are prescribed in the Constitution."

That was the constitutional rule in 1824 when those words were first spoken by Chief Justice Marshall. It remains the constitutional rule today; those same words were repeated by Mr. Justice Clark for a unanimous Court just recently in sustaining the public accommodation provisions of the Civil Rights Act of 1964. See *Atlanta Motel* v. *United States*, 379 U.S. 241, 255.

This is not a case where the subject matter was exclusively reserved to another branch of Government—to the executive or to the courts. The 15th amendment left no doubt about the propriety of legislative action. And, of course, both immediately after the passage of the 15th amendment, and more recently, the Congress has acted to implement the right. See the very comprehensive act of May 31, 1870, 16 Stat. 140, and the voting provisions of the Civil Rights Acts of 1957, 1960, and 1964.

Some of the early laws were voided as too broad and others were later repealed. But the Supreme Court has never voided a statute limited to enforcement of the 15th amendment's prohibition against discrimination in voting. On the contrary, in the old cases of *United States* v. *Reese*, 92 U.S. 214, 218, and *James* v. *Bowman*, 190 U.S. 127, 138–139, the Supreme Court, while invalidating certain statutory provisions, expressly pointed to the power of Congress to protect the right to:

"* * * exemption from discrimination in the exercise of the elective franchise on account of race, color, or previous condition of servitude. This, under the express provisions of the second section of the amendment, Congress may enforce by 'appropriate legislation.'"

And with respect to congressional elections, shortly after the adoption of the 15th amendment, the Court sustained a system of Federal supervisors for registration and voting not dissimilar to the system proposed here. See *Ex parte Siebold*, 100 U.S. 371; *United States* v. *Gale*, 109 U.S. 65. Constitutional assaults on the more recent legislation have been uniformly rejected. See *United States* v. *Raines*, 362 U.S. 17 (1957 act); *United States* v. *Thomas*, 362 U.S. 58 (same); *Hannah* v. *Larche*, 363 U.S. 420 (Civil Rights Commission rules under 1957 act); *Alabama* v. *United States*, 371 U.S. 37 (1960 act); *United States* v. *Mississippi*, No. 73, this term, decided March 8, 1965 (same); *Louisiana* v. *United States*, No. 67, this term, decided March 8, 1965 (same).

This legislation has only one aim—to effectuate at long last the promise of the 15th amendment—that there shall be no discrimination on account of race or color with respect to the right to vote. That is the only purpose of the proposed bill. It is, therefore, truly legislation "designed to enforce" the amendment within the meaning of section 2. To meet the test of constitutionality, it remains only to demonstrate that the means suggested are appropriate.

The relevant constitutional rule, again, was established once and for all by Chief Justice Marshall. Speaking for the Court in *McCullough* v. *Maryland*, 4 Wheat. 316, 421, he said:

"Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consistent with the letter and spirit of the Constitution, are constitutional."

The same rule applies to the powers conferred by the amendments to the Constitution. In the case of *Ex parte Virginia*, 100 U.S. 339, 345–346, speaking of the 14th, 15th, and 16th amendments, the Court said:

"Whatever legislation is appropriate, that is, adapted to carry out the objects the amendments have in view, whatever tends to enforce submission to the prohibitions they contain, and to secure to all persons the enjoyment of perfect equality of civil rights and the equal protection of the laws against State denial or invasion, if not prohibited, is brought within the domain of congressional power."

See also, *Everard's Breweries* v. *Day*, 265 U.S. 545, 558–559, applying the same standard to the enforcement section of the prohibition (18th) amendment.

That is really the end of the matter. The means chosen are certainly not "prohibited" by the Constitution (as I shall show in a moment), and they are—as I have already outlined—"appropriate" and "plainly adapted" to the end of eliminating, in large part, racial discrimination in voting. It does not matter, constitutionally, that the same result might be achieved in some other way. That has been settled since the beginning and was expressly reaffirmed very recently in the cases upholding the Civil Rights Act of 1964. See *Atlanta Motel* v. *United States*, 379 U.S. 241, 261.

All workable legislation tends to set up categories—inevitably so. I have explained the premise for the classification made and, with some possible exceptions, as I have said, the facts support the hypothesis. But the exceptional case is provided for in section 3(c) of the bill which I have already discussed. Given a valid factual premise—as we have here—it is for Congress to set the boundaries. That is essentially a legislative function which the courts do not and cannot quibble about. Cf. *Boynton* v. *Virginia*, 364 U.S. 454; *Currin* v. *Wallace*, 306 U.S. 1; *United States* v. *Darby*, 312 U.S. 100, 121. See also, *Purity Extract Co.* v. *Lynch*, 226 U.S. 192.

The President submits the present proposal only because he deems it imperative to deal in this way with the invidious discrimination that persists despite determined efforts to eradicate the evil by other means. It is only after long experience with lesser means and a discouraging record of obstruction and delay that we resort to more far-reaching solutions.

The Constitution, however, does not even require this much forbearance. When there is clear legislative power to act, the remedy chosen need not be absolutely necessary; it is enough if it be "appropriate." And I am certain that you all recall that the Supreme Court—in sustaining the finding of the 88th Congress that racial discrimination by a local restaurant serving a substantial amount of out-of-State food adversely affects interstate commerce—made it clear that so long as there is a "rational basis" for the congressional finding, the finding itself need not be formally embodied in the statute. *Katzenbach* v. *McClung*, 379 U.S. 294, 303–305.

I turn now to the contention often heard that, whatever the power of Congress under the enforcement clause of the 15th amendment in other respects, it can never be used to infringe on the rights of the States to fix qualifications for voting, at least for non-Federal elections. The short answer to this argument was given most emphatically by the late Mr. Justice Frankfurter, speaking for the Court in *Gomillion* v. *Lightfoot*, 364 U.S. 339, 347, a 15th amendment case:

"When a State exercises power wholly within the domain of State interest, it is insulated from Federal judicial review. But such insulation is not carried over when State power is used as an instrument for circumventing a federally protected right."

The constitutional rule is clear: So long as State laws or practices erecting voting qualifications for non-Federal elections do not run afoul of the 14th or 15th amendments, they stand undisturbed. But when State power is abused—as it plainly is in the areas affected by the present bill—there is no magic in the words "voting qualification."

The "grandfather clauses" of Oklahoma and Maryland were, of course, voting qualifications. Yet they had to bow before the 15th amendment. *Guinn* v. *United States*, 238 U.S. 347; *Myers* v. *Anderson*, 238 U.S. 368. Nor are only the most obvious devices reached. As the Court said in *Lane* v. *Wilson*, 307 U.S. 268, 275: "The Amendment nullifies sophisticated as well as simple-minded modes of discrimination."

Nor do literacy tests and similar requirements enjoy special immunity. To be sure, in *Lassiter* v. *Northampton Election Board*, 360 U.S. 45, the Court found no fault with a literacy requirement, as such, but it added: "Of course a literacy test, fair on its face, may be employed to perpetuate that discrimination which the 15th amendment was designed to uproot." Id., at 53. See, also, *Gray* v. *Sanders*, 372 U.S. 368, 379.

Indeed, as the opinion in Lassiter noted, the Court had earlier affirmed a decision annulling Alabama's literacy test on the ground that it was "merely a device to make racial discrimination easy." 360 U.S. at 53. See *Davis* v. *Schnell*, 336 U.S. 933, affirming 81 F. Supp. 872. And, only the other day, the Supreme Court voided one of Louisiana's literacy tests. *Louisiana* v. *United States*, No. 67, this term, decided March 8, 1965. See, also, *United States* v. *Mississippi*, *supra*.

Thus, it is clear that the Constitution will not allow racially discriminatory voting practices to stand. But it is even clearer, as we have seen, that the Constitution invites Congress not merely to stand by and watch the courts invalidate State practices but to take a positive role by outlawing the use of any practices utilized to deny rights under the 15th amendment.

This bill accepts that invitation.

One may, I suppose, grant the constitutionality of the remedy proposed in this bill, but, nevertheless, oppose it on the ground that it places the ballot in the hands of the illiterate. On this theory, the remedy for existing discrimination would be to guarantee the fair administration of literacy tests rather than to abolish them. I suggest that this alternative is unrealistic.

In fact, the majority of the States—at least thirty—find it possible to conduct their elections without any literacy tests whatever. There is no evidence that the quality of government in these States falls below that of those States which impose—or purport to impose—such a requirement.

Whether there is really a valid basis for the use of literacy tests is, therefore, subject to legitimate question. But it is not for this reason that the proposed legislation seeks to abolish them in certain places.

Rather, we seek to abolish these tests because they have been used in those places as a device to discriminate against Negroes.

Highly literate Negroes have been refused the right to vote. Totally illiterate whites have been allowed to vote. In short, in these areas the literacy test is demonstrably unrelated to intellectual capability. It is directly related only to one factor: color.

It is not this bill—it is not the Federal Government—which undertakes to eliminate literacy as a requirement for voting in such States or counties. It is the States or counties themselves which have done so, and done so repeatedly, by registering illiterate or barely literate white persons.

The aim of this bill is, rather, to insure that the areas which have done so apply the same standard to all persons equally, to Negroes now just as to whites in the past.

It might be suggested that this kind of discrimination could be ended in a different way—by wiping the registration books clean and requiring all voters, white or Negro, to register anew under a uniformly applied literacy test.

For two reasons such an approach would not solve, but would compound our present problems.

To subject every citizen to a higher literacy standard would, inevitably, work unfairly against Negroes—Negroes who have for decades been systematically denied educational opportunity available to the white population.

Such an impact would produce a real constitutional irony—that years of violation of the 14th amendment right of equal protection through equal education would become the excuse for continuing violation of the 15th amendment right to vote.

The result would be something chillingly close to the mechanism once confidently described by the late Senator Theodore Bilbo of Mississippi:

"The poll tax won't keep 'em from voting. What keeps 'em from voting is section 244 of the constitution of 1890, that Senator George wrote. It says that a man to register must be able to read and explain the constitution when read to him. And then Senator George wrote a constitution that damn few white men and no niggers at all can explain." (See

Collier's magazine, July 6, 1946; Hearings Before the Special Committee to Investigate Senatorial Campaign Expenditures, 1946, p. 205.)

The second argument against such a re-registration "solution" is even more basic—and even more ironic. Even the fair administration of a new literacy test in the relevant areas would, inevitably, disenfranchise not only many Negroes, but also thousands of illiterate whites who have voted throughout their adult lives.

Our concern today is to enlarge representative government. It is to solicit the consent of all the governed. It is to increase the number of citizens who can vote. What kind of consummate irony would it be for us to act on that concern—and in so doing to reduce the ballot, to diminish democracy?

It would not only be ironic; it would be intolerable.

VI. CONCLUSION

I have come before you to describe the proposed Voting Rights Act of 1965, the need for this act, and some of the questions raised about it, and to do so in considerable detail. I will be happy to respond to your questions as fully as possible. I am prepared certainly, to remain here this morning, this afternoon, this evening, tomorrow, and every day that the committee feels my presence would be helpful. This legislation must be enacted.

However detailed my presentation may be and however extensive your consideration may be, there remains, nevertheless, a single, uncomplicated, and underlying truth: This legislation is not only necessary, but it is necessary now.

Democracy delayed is democracy denied.

The Need for Public Facilities

EXTENSION OF REMARKS
OF

HON. RICHARD D. McCARTHY

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 24, 1965

Mr. McCARTHY. Mr. Speaker, I wish to call to the attention of the House an excellent address by my colleague, the gentleman from Minnesota, the Honorable JOHN A. BLATNIK, that was delivered before the 34th annual meeting of the National Housing Conference.

Mr. BLATNIK expressed eloquently the need for more and improved public facilities.

I am pleased to note that my constituency, the 39th District of New York, was well represented at the meeting. Representing Buffalo, N.Y., were Robert K. Sipprell, executive director of the Buffalo Municipal Housing Authority, and Mrs. Sipprell; Richard Lang Miller, executive director of the Greater Buffalo Development Foundation; and George F. Rand, Jr., vice president of the Marine Trust Co. of Western New York and Mrs. Rand.

Following are the remarks of Mr. BLATNIK:

ADDRESS OF HON. JOHN A. BLATNIK

The keynote of this administration was sounded by President Johnson in his state of the Union message when he said, "Our basic task is threefold: to keep our economy growing; to open for all Americans the opportunity that is now enjoyed by most Americans; and to improve the quality of life for all." These are the goals which your great organization has fought to achieve over the years. Those have been years of substantial progress and I am confident that the legislation which will be enacted by the 89th Congress will mark a major milestone in our unending efforts to build a better life for all of our citizens.

Those who hoped or feared that President Johnson's Great Society would be just an empty title have received their answer in a steady flow of Presidential messages and legislative recommendations sent to the Congress. While no one has yet discovered the secret of pleasing everyone, the administration's program as it is being unfolded in these messages shows a determination to accomplish as much as possible and a bold willingness to experiment in search of further answers.

I am particularly pleased with the President's emphasis on "quality of life." All too often we rate our national accomplishments just on the basis of quantity. Perhaps this is necessarily so because the economics which underlie our policies is not well equipped to measure quality. But I think the distinction is a very real one and one which should be made. I also believe that this emphasis has struck a responsive chord with the public and in the future our programs will be evaluated even more critically. This new dimension in our public policies has already been reflected in the staid pages of Fortune magazine. This month's issue carries an article entitled "The Half-Finished Society," which points out the disparity between our accomplishments in satisfying private consumption in contrast to public investment.

The article states, "Our immaculate homes are crowded with gleaming appliances and our refrigerators are piled high with convenience foods. But beyond our doorsteps lies a shamefully neglected social and physical environment."

This is strong language indeed and I think we can all agree that the author has taken a pardonable license with the facts—not all of our families enjoy gleaming new appliances on the one hand, and our towns and cities are increasingly successful in preserving and rebuilding attractive neighborhoods. Still there is much basic truth in the statement and it hits squarely at a problem which, in my opinion, calls for direct Federal assistance. In spite of the vigorous efforts of State and local governments, we have fallen far behind the need for public facilities. Everyone recognizes, at least in principle, that adequate water and sewer facilities, streets and sidewalks, public buildings, and so forth, are essential for sound community development. But too many people balk at the unpleasant burden of actually paying for them. In their minds they seem to divorce the benefits of public investment from the cost of paying for them and applaud the one and vote against the other. Admittedly taxes are still high, particularly at the local level. But we are paying a high and rising price for our neglect of public investment in terms of inadequate or antiquated or overcrowded facilities which carry their own cost, ranging from nuisances to outright threats to health and welfare.

This shortage of essential community facilities has a very direct bearing on our housing problems, not only by its effect on the public environment but by its effect on the volume and cost of housing production. The Housing Yearbook published by the National Housing Conference very perceptively includes up-to-date estimates of the minimum sales prices at which new homes are being offered in a number of cities. This gives an indication of how successfully private builders are serving families of modest income. I believe their new figures will be disquieting.

The Bureau of the Census has just released figures on sales prices of new homes and the median price in December was $20,600, a jump of $1,900 over the same month of the previous year. The Census Bureau release does not go into further detail but the economists at the National Association of Home Builders attribute this largely to the rapid rise in the price of land. And going one step further, this inflation of land value reflects largely the shortage of community facilities, particularly water and sewer lines, but including the whole range of necessary public investment that goes into a community. The shortage is not one of land itself but the fact that before land can be developed there must be a substantial investment in local public works. In most places builders say that they cannot build low-cost housing because they do not have the inexpensive land on which to put it. The administration's housing bill just submitted to the Congress includes some provisions which recognize this problem, such as the proposal for $100 million in grants next year for water and sewer facilities in growth areas. In my opinion, the basic solution to taking the inflation out of land values is a much higher level of Federal assistance for the whole range of essential facilities.

The fact is that the Federal Government has largely preempted the most fruitful source of revenue through the income tax. Moreover, this is a tax which yields an increase in the neighborhood of $5 billion a year without raising the rates as a result of normal economic growth. The overwhelming share of these taxes comes from our towns and cities and their needs should be given high priority in the use of them. Local government is faced not only with limited sources of tax revenues but with rapidly growing responsibilities. In his testimony before the Joint Economic Committee, John Kenneth Galbraith stated, "The great economic anachronism of our time is that economic growth gives the Federal Government the revenues while, along with population increases, it gives the States and especially the cities the problems." Just as one example of what Professor Galbraith was speaking of is the fact that in the past 5 years school enrollment has jumped by 5 million. Other responsibilities of local government have also increased sharply reflecting not only population growth but the ever-rising standards demanded by our citizens.

We have already begun a piecemeal approach to this problem with Federal grants for selected purposes. I believe it is fair to state that all of these programs of grant assistance for local public works have been successful, efficient, and strongly supported by mayors, unions, and other liberal public interest groups. The water pollution control program has amply proven its value and will become ever more useful under pending legislation. Personally, I believe that both the overall dollar level of the program as well as the 30-percent grant ratio should be raised. But, in any event, we have made real progress since that day almost exactly 5 years ago when our efforts to improve and expand the program met with a Presidential veto which we could not override. Another program which made an important contribution toward overcoming the backlog of needed community facilities was the accelerated public works program. More than 7,000 projects around the country were aided with those grants. But the fact remains that we need not only larger Federal investment for this purpose but also a continuing program so that communities can confidently plan their construction program in advance with assurance that a margin of Federal assistance will be available when they are prepared to get underway.

A program of substantial Federal grants for a wide range of community facilities is also important to another essential aspect of President Johnson's Great Society—the

achievement of full employment and the maintenance of a high level of economic growth. Rapid economic improvement over the past 4 years has substantially reduced unemployment but there are still millions of men and women who cannot find jobs or who can find only part-time work. While praising our achievements we must not lose sight of the bitter problems that confront these unemployed workers and their families. This is a waste which we cannot tolerate either on humanitarian or economic grounds.

While we have sustained a remarkably long period of economic expansion extending to 4 years now, only a person with a very short memory can deceive himself that we have ruled out the possibility of recession. Much of our recent economic growth represents taking up the slack of the preceding years when the economy fluctuated between recessions and inadequate recoveries. Already many economists and business analysts are expressing concern over the trend of the economy later this year. In a growing nation it is not enough to maintain a level of production, even a high one. We must continue to expand to provide jobs for our growing labor force. This problem is compounded by the much-discussed postwar baby boom. Looking back 18 years we see a jump in the birth rate from 2.7 to 3.7 million. This means that over the next year or so the number of new jobseekers entering the labor force will increase sharply and be greater than we have experienced in decades.

President Johnson has cited unemployment of young, inexperienced workers as one of the greatest domestic problems facing us today. We cannot take it for granted that the economy will automatically produce the millions of jobs needed to provide for this influx of young workers and at the same time take care of those who will lose their present jobs through automation and shifts in demand and at the same time reduce unemployment to an acceptable minimum within a reasonable time.

The time to make our economic plans to assure that jobs will be available is now, and an important part of that planning should be a program to extend needed Federal assistance to overcome our multibillion-dollar backlog of community facilities and meet the requirements for future growth. To accomplish this I have introduced a bill, H.R. 2170, which would authorize 50-percent grants for nearly the whole range of local public works in towns and cities of all sizes, with the further provision that in depressed areas these grants could go up to 75 percent. The bill would authorize a continuing program of $2 billion a year for these grants.

This bill would meet several pressing problems. It would make a meaningful increase in the volume of construction of needed community facilities, thereby reducing the backlog which we must face up to sooner or later. It would help to make our cities better places in which to live and work. It would ease the financial crisis facing local government and help them to meet the whole range of their responsibilities. By opening up new land it would reduce the inflationary pressure on lot prices directly, reducing housing costs and making land available at costs consistent with lower priced housing. It would channel some of our tremendous national wealth to the neglected field of public investment and help redress the present imbalance between the private and public sectors. And finally, it will make an important and continuing contribution to sound and adequate growth of output, employment, and incomes.

This bill has already received the endorsement of the AFL–CIO and the National Rural Electric Cooperative Association which has always played a leading role in community development. The need for Federal grants for this purpose is recognized by both of the mayors' organizations and has their support. And the principle of grants for community facilities has the support of the National Association of Home Builders who recognize the limitation on their markets imposed by the shortage of land ready for development and the present high level of land costs.

This bill is among my highest legislative priorities and I plan to hold hearings on it later this spring. I believe the need for such a program is urgent and I am hopeful that we will be able to enact it into law.

SENATE

THURSDAY, MARCH 25, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

Rabbi Chaim U. Lipschitz, director, Mesivta Talmudical Seminary, Brooklyn, N.Y., offered the following prayer:

With great love Thou lovest us, O Lord, our God, and with Thy great compassion Thou hast abundance of pity on us. O our Father, our King, for the sake of our fathers who trusted in Thee, to whom Thou didst teach the statutes of life, so shalt Thou favor and teach us. O Father, who art a merciful Father, have compassion on us we beseech Thee, and grant our hearts understanding, that we may comprehend, hear, learn, teach, observe, perform, and establish all the learning of Thy law, with love; and enlighten our eyes in Thy law, and our hearts to love and fear Thy name, that we may not be abashed forevermore; for in Thy holy, great, and tremendous name we trust. We shall be glad, and rejoice in Thy salvation, when Thou bringest us with peace from the four corners of the earth and conductest us with uprightness, for Thou art the Almighty who workest salvation. Our God, and God of our Fathers, be Thou with the mouths of the deputies of this worthy Senate of the United States who stand in Thy presence. Teach them what they will say, instruct them what they will speak, answer their requests, and cause them to know how to glorify Thee. May they walk in the light of Thy countenance; may they bend their knees unto Thee, and with their mouths bless Thy people. O bless them altogether with the blessings of Thy mouth. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, March 22, 1965, was dispensed with.

MESSAGE FROM HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of March 22, 1965,

The Secretary of the Senate, on March 24, 1965, received a message from the House of Representatives, which announced that the House had agreed to the amendments of the Senate to the bill (H.R. 1496) to authorize the disposal, without regard to the prescribed 6-month waiting period, of zinc from the national stockpile and the supplemental stockpile.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 3, Public Law 86–380, the Speaker had appointed Mr. FOUNTAIN, of North Carolina; Mr. KEOGH, of New York; and Mrs. DWYER, of New Jersey, as members of the Advisory Commission on Intergovernmental Relations, on the part of the House.

The message announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 5688. An act relating to crime and criminal procedure in the District of Columbia;

H.R. 5721. An act to amend the Agricultural Adjustment Act of 1938, as amended, to provide for acreage-poundage marketing quotas for tobacco, to amend the tobacco price support provisions of the Agricultural Act of 1949, as amended, and for other purposes; and

H.R. 6453. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 1496) to authorize the release of certain quantities of zinc, lead, and copper from either the national stockpile or the supplemental stockpile, or both, and it was signed by the Vice President.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 5688. An act relating to crime and criminal procedure in the District of Columbia; to the Committee on the District of Columbia.

H.R. 5721. An act to amend the Agricultural Adjustment Act of 1939, as amended, to provide for acreage-poundage marketing quotas for tobacco, to amend the tobacco price support provisions of the Agricultural Act of 1949, as amended, and for other purposes; to the Committee on Agriculture and Forestry.